



Accessions

267,501.

Shelf No.

4310.90



Received Oct. 27, 1879.

BRITISH COLUMBIA.

George Eby

P A P E R S

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART I.

COPIES of DESPATCHES from the Secretary of State for the Colonies to the Governor of BRITISH COLUMBIA, and from the Governor to the Secretary of State relative to the GOVERNMENT of the COLONY ; Also,

COPIES of the ACT OF PARLIAMENT to provide for the GOVERNMENT of BRITISH COLUMBIA ; GOVERNOR'S COMMISSION and INSTRUCTIONS ; ORDER IN COUNCIL to provide for the ADMINISTRATION of JUSTICE ; and INSTRUMENT revoking so much of the CROWN GRANT of 30th May 1838 to the HUDSON'S BAY COMPANY for exclusive TRADING with the Indians as relates to the Territories comprised within the Colony of BRITISH COLUMBIA.

Presented to both Houses of Parliament by Command of Her Majesty,
18 February 1859.



L O N D O N :

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1859.

P A P E R S

267.501

Oct 29 1879
AFFAIRS OF BRITISH COLUMBIA.

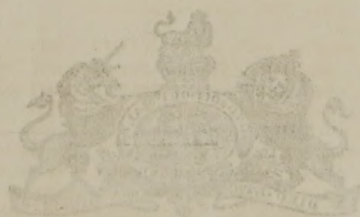
Cushing Sale

PART I.

Orders of Discharge from the Secretary of State for the Colonies to the
Governor of British Columbia, and from the Governor to the Secretary
of State relative to the Government of the Colony; Also,

Orders of the Act or Parliament to provide for the Government of British
Columbia; Governor's Commission and Instructions; Orders in Council
to provide for the Administration of Justice; and Instrument relating
to which of the Laws of the United Kingdom to the Hudson's Bay
Company for exclusive Trading with the Indians as relates to the
Colonies comprised within the Colony of British Columbia.

Printed in both Houses of Parliament by Command of Her Majesty.
18 February 1880.



LONDON:
PRINTED BY GEORGE EDWARD RYLE AND WILLIAM SPOTTISWOODE
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY
FOR HER MAJESTY'S STATIONERY OFFICE.

SCHEDULE.

DOCUMENTS REFERRED TO IN THE FOLLOWING DESPATCHES:—

“ An Act to provide for the Government of British Columbia ”	1
Letters Patent appointing James Douglas, Esq., Governor and Commander-in-Chief of British Columbia and its Dependencies	3
Instructions to Governor Douglas	5
Order in Council empowering the Governor to make Laws, and to provide for the Administration of Justice	8
Instrument revoking so much of the Crown Grant of 30th May 1838 to the Hudson's Bay Company for exclusive Trading with the Indians as relates to the Territories comprised within the Colony of British Columbia	9

DESPATCHES FROM GOVERNOR DOUGLAS TO SECRETARY OF STATE.

Number in Series.	Date and Number.	SUBJECT.	Page.
1	May 19, 1858 (23.) -	COUTEAU GOLD MINES. ENCLOSURES PROCLAMATION FOR CHECKING INFRINGEMENT OF CUSTOMS' LAWS. NAVAL FORCE will be furnished by Captain Prevost. Americans endeavouring to force a passage through their own Territories by way Columbia River - - -	11
2	June 10, 1858 (24.) -	REPORT OF VISIT TO FALLS OF FRASER'S RIVER. From information collected, is of opinion that the whole country eastward of Gulf of Georgia, as far north as Johnston's Straits, as well as Fraser's River, is one continued bed of Gold. Suggests opening the whole Country for Settlement. Measures for having a Surveying Staff in readiness. Seizure of Contraband Goods, and taking 16 unlicensed canoes into custody - -	13
3	June 15, 1858 (25.) -	ENCLOSURES ADDRESS TO GOVERNOR FOR OPENING TRADE OF FRASER'S RIVER. States tenor of his Reply to it - - - - -	15
4	June 15, 1858 (26.) -	DISTURBANCE BETWEEN MINERS AND NATIVES AT “HILL'S BAR.” REPORTS Measures he had adopted in consequence. ENCLOSURES “HAND BOOK AND MAP TO THE GOLD REGION” - - - - -	16
5	June 19, 1858 (28.) -	COUTEAU GOLD MINES. FURTHER REPORT AND SUGGESTIONS. Account of Gold collected by Hudson's Bay Company (10,000 <i>l.</i>) Instructions required regarding appointment of Collector of Local Dues - - - - -	17
6	July 1, 1858 (29.) -	COUTEAU GOLD MINES. Reports increased arrivals. Licence Fees collected, amounting to 12,625 dollars. Encloses Letter from M. Travaillot regarding richness of spot called “Golden Bar,” being the first authentic Report of Gold being discovered in the Soil apart from the River bed - -	19
7	July 26, 1858 (31.) -	REPORTS PUBLIC MEASURES ADOPTED FOR THE GOVERNMENT OF FRASER'S RIVER AND THE GOLD DISTRICTS. Regrets want of a permanent Force for Protection of Revenue. Appointments made - - - - -	22
8	August 19, 1858 (34.)	APPLIES FOR A MILITARY FORCE FOR THE GOLD DISTRICTS. Submits observations on the opening the Route by Harrison's River. Further particulars of the Gold Country. Encloses Map - - - - -	27

SCHEDULE.

Number in Series.	Date and Number.	SUBJECT.	Page.
9	August 27, 1858 (35.)	REPORTS INTENDED VISIT TO FRASER'S RIVER on account of Disturbances there, accompanied by Major Hawkins, with a small force of Sappers and Miners, and Marines -	29
10	August 30, 1858 (37.)	ENCLOSES COPIES OF INSTRUCTIONS ISSUED TO THE ASSISTANT GOLD COMMISSIONERS; also PROCLAMATION establishing HARBOUR REGULATIONS -	30
11	Sept. 9, 1858 (39.) -	MEASURES TAKEN FOR MAINTAINING LAW AND ORDER. Reports steps taken to raise Funds for making Roads, supplying Food, &c. Observations respecting Licence Fees and Duty on Imports. Orderly conduct of the Mining Population - - - - -	33
12	Sept. 29, 1858 (40.) -	GENERAL AFFAIRS OF THE COLONY. No undue favour shown to Servants of the Hudson's Bay Company. States intention to use caution in employing the Military and Naval Forces. American Population not in favour of the appointment of Americans as Magistrates or Crown Officers. Attention called to the Services rendered by Captains Prevost and Richards, of Her Majesty's Ships "Satellite" and "Plumper" - -	35
13	Sept. 30, 1858 (42.) -	TRADE OF FRASER'S RIVER. The Instructions to allow only British Vessels to navigate Fraser's River without a Licence are in accordance with existing Regulations. States reasons for having given an extended application to the Rights of the Hudson's Bay Company to trade with the Indians, but will in future follow Instructions. Observations on Proclamation of 8th May, which has been virtually abrogated. Arrangement with Pacific Mail Steam Packet Company never carried into effect. Prepayment of Mining Licences and Head Money will be discontinued - - - - -	36
14	Oct. 11, 1858 (43.) -	MEANS OF RAISING A REVENUE. States reasons for having adopted the system of Mining Licences. Prefers adoption of the views contained in Sir E. B. Lytton's Despatch, No. 6, of the 31st July, of levying Import Duties. Anticipates beneficial results from Land Sales. The Surveyor-General has been instructed to lay out Three Town Sites. Will attend to Instructions as to employment of Royal Engineers and Police. Condition of Native Indians - - - - -	37

DESPATCHES FROM SECRETARY OF STATE TO GOVERNOR DOUGLAS.

1	July 1, 1858 (Confidential.)	NAVAL OFFICERS AT VANCOUVER'S ISLAND will be directed by Admiralty to afford ASSISTANCE, but suggests caution in employing Military or Naval force - - -	41
2	July 16, 1858 (4.) -	DISALLOWS PROCLAMATION ISSUED BY THE GOVERNOR. Navigation of Fraser's River above the mouth open to British vessels only. Foreign vessels must be licensed. Not to use powers entrusted to him in maintenance of the interests of the Hudson's Bay Company. Disapproves of terms proposed to Pacific Mail Company. Alterations of certain terms required - - - - -	42
3	July 16, 1858 (Confidential.)	GOVERNMENT OF NEW COLONY OFFERED TO HIM CONDITIONALLY on ultimately disconnecting himself from Hudson's Bay Company. Salary 1,000 <i>l.</i> , to be paid, for the present, out of a Parliamentary vote - - - - -	43
4	July 30, 1858 (5.) -	PROPOSE SENDING AN ENGINEER OFFICER with two or three subalterns and a COMPANY OF SAPPERS AND MINERS CONSISTING OF 150 MEN. Requests that arrangements may be made for their reception. Officer in command will be provided with general instructions, copy of which will be forwarded - - - - -	44

SCHEDULE.

v

Number in Series.	Date and Number.	SUBJECT.	Page.
5	July 31, 1858 (Confidential.)	MUST RELINQUISH ALL CONNEXION WITH THE PUGET SOUND COMPANY as well as the Hudson's Bay Company if he accept the office of Governor. If it should not conduce to his interests to disconnect himself, his claims to enter the service of the Crown in the Colonies, should he desire it, will not be overlooked by Her Majesty's Government -	44
6	July 31, 1858 (6.)	GENERAL INSTRUCTIONS. SUGGESTS that moderate duties on beer, wine, spirits, &c., preferable to the imposition of licences, for the purpose of raising an immediate Revenue. Also disposal of public lands for the same purpose. Desirable that a site for a Seaport Town should be decided on. The general views of the Immigrants to be ascertained. Parliament will lend its assistance in the early establishment of the Colony, but expects that it will shortly become self-supporting. General policy to be that Representative Institutions and self-government should prevail. Royal Engineers to survey those parts suitable for settlement, and to suggest a site for seat of Government; also as to roads, &c. Imperial Government will maintain engineers only for a limited period. If further required Colony must defray the cost. Surveys of land for private individuals to be included in price paid for the property. Engineers sent for scientific purposes, and not solely for Military objects. Inspector of Police will be sent for the formation of a Police Force. To consider the best means of dealing with the Native Indians. Interests of the Natives to be carefully guarded; and attention to be given to the best means of diffusing the Christian Religion. Friendly communications, as to the best means of securing the peace of the Colony, to be made with American and other Immigrants. Suggests whether among the British and Foreign Immigrants persons can be found to form a "Council of Advice." Requests an early reply on these several topics -	44
7	August 14, 1858 (7.)	TRANSMITS "ACT TO PROVIDE FOR THE GOVERNMENT OF BRITISH COLUMBIA" -	46
8	August 14, 1858 (8.)	FURTHER GENERAL INSTRUCTIONS. APPROVES various appointments and measures taken for raising a Revenue by Customs, also the payment of Mining Licence Fees. Revocation of Hudson's Bay Company's Licence. Revenue derived to be expended on the necessary expenses of the Colony. His Salary to be paid by Imperial Government. Measures to be taken for the transmission of letters and levying postage. Staff of Surveyors already engaged in Vancouver's Island to prepare the way for the arrival of the Surveyor General. Future Government of Colony. Information required on various subjects -	47
9	August 14, 1858 (9.)	INFORMATION REQUIRED AS TO DISPOSAL OF LAND. GENERAL DIRECTIONS as to its disposal. Enjoined not to show favour to the servants of the Hudson's Bay Company -	49
10	September 1, 1858 (Separate.)	DEPARTURE OF ROYAL ENGINEERS. Introducing Captain Parson's in command of twenty officers and men. Desired to afford every assistance to enable him to commence operations in anticipation of arrival of Colonel Moody, R.E., to whom he is to afford every accommodation -	50
11	Sept. 2, 1858 (1.)	TRANSMITS QUEEN'S COMMISSION APPOINTING HIM GOVERNOR AND COMMANDER-IN-CHIEF, together with the ROYAL INSTRUCTIONS -	50
12	Sept. 2, 1858 (2.)	FORWARDS ORDER IN COUNCIL making provision for the ADMINISTRATION OF JUSTICE -	50
13	Sept. 2, 1858 (3.)	TRANSMITS REVOCATION OF THE CROWN GRANT OF THE 30th MAY 1838 TO THE HUDSON'S BAY COMPANY, so far as it embraces the Colony of British Columbia -	51
14	Sept. 2, 1858 (5.)	NAVAL ASSISTANCE. Transmits copy of correspondence with the Admiralty -	51

SCHEDULE.

Number in Series.	Date and Number.	SUBJECT.	Page.
15	Sept. 2, 1858 (6.) -	NAVAL ASSISTANCE. Instructions have been sent to Rear-Admiral Sir M. Seymour to despatch Her Majesty's ship "Tribune" with as many Marines as can be spared. Apprises him that the Admiral was instructed in May last to send Her Majesty's ships "Pylades" and "Amethyst" to the Pacific Station as soon as their services in India and China should be no longer required. The ships to go in the first instance to Vancouver's Island - - - - -	52
16	Sept. 2, 1858 (7.) -	MILITARY AID. Transmits correspondence with War Office relative to sending Royal Engineers under Colonel Moody, who is also appointed Commissioner of Lands and Works. COPY OF INSTRUCTIONS ADDRESSED TO COLONEL MOODY. An officer and twenty men will be despatched, via Panama, on the 2d Oct. - - - - -	52
17	Sept. 2, 1858 (8.) -	ALL EXPENSES OF THE ENGINEER FORCE TO BE DEFRAYED BY THE COLONY OUT OF LAND SALES in consequence of information received (since Despatch No. 6. was written) that there was an early prospect of raising a large Revenue - - - - -	56
18	Sept. 2, 1858 (9.) -	POSTAL ARRANGEMENTS. Transmits copies of correspondence with the Treasury on the subject of - - - - -	56
19	Sept. 2, 1858 (12) -	Transmits letter from ABORIGINES PROTECTION SOCIETY INVOKING PROTECTION for their people. Desires attention to it, but does not adopt the Society's views as to how this is best accomplished - - - - -	58
20	Sept. 2, 1858 (13.) -	STATES THAT THE SOCIETY FOR THE PROPAGATION OF THE GOSPEL PROPOSES SENDING ONE OR TWO MISSIONARIES. One will sail on the 15th Oct. - - - - -	60
21	Sept. 2, 1858 (14.) -	ENCLOSES LETTER TO COLONEL MOODY ON THE SUBJECT OF GRANTING LAND, ON CERTAIN CONDITIONS, to the NON-COMMISSIONED OFFICERS AND MEN OF THE ROYAL ENGINEERS. REPORT AND OPINION REQUIRED AS TO REMISSIONS, ON THE PURCHASE OF LAND, TO RETIRED OFFICERS OF THE ARMY AND NAVY. Requests Lists of Officers to be sent from England, with Civil Situations, also Rates of Pay. To Report by every opportunity on all matters of interest - - - - -	60
22	Sept. 2, 1858 (16.) -	DEFINING GOVERNOR'S LEGAL POSITION AND NATURE OF IMMEDIATE DUTIES UNDER EXISTING CIRCUMSTANCES - - - - -	61
23	Sept. 2, 1858 (17.) -	JURISDICTION OF THE HUDSON'S BAY COMPANY. Encloses copy of correspondence with Foreign Office regarding certain queries addressed to Her Majesty's Minister at Washington by the Pacific Mail Steam Packet Company on the subject of - - - - -	63
24	Sept. 2, 1858 - (Separate.) -	SUGGESTS APPOINTMENT OF GOLD COMMISSIONERS with the powers of Magistrates; also POLICE FORCE - - - - -	65
25	Sept. 16, 1858 (20.) -	APPROVAL OF THE PUBLIC MEASURES ADOPTED. THANKS TO OFFICERS OF HER MAJESTY'S SHIPS "SATELLITE" AND "PLUMPER." GENERAL INSTRUCTIONS and approval of various appointments - - - - -	65
26	Sept. 23, 1858 (22.) -	TRANSMITS WARRANT APPOINTING COLONEL MOODY "CHIEF COMMISSIONER OF LANDS AND WORKS" - - - - -	66
27	Sept. 24, 1858 (25.) -	COLONEL MOODY TO HOLD DORMANT COMMISSION AS LIEUTENANT GOVERNOR - - - - -	67
28	Oct. 11, 1858 (29.) -	JUDGES' SALARY fixed at 800 <i>l</i> . - - - - -	67
29	Oct. 14, 1858 - (Confidential.) -	ACKNOWLEDGES RECEIPT OF REGULATIONS ISSUED FOR MANAGEMENT OF GOLD FIELDS, AND PROCLAMATION ESTABLISHING HARBOUR REGULATIONS, &c. Statement of views as to these Regulations - - - - -	67

SCHEDULE.

vii

Number in Series.	Date and Number.	SUBJECT.	Page.
30	Oct. 16, 1858 (30.) -	RECAPITULATES STEPS TAKEN WITH REGARD TO NAVAL, MILITARY, AND POLICE ASSISTANCE. An- nounces further reinforcements despatched. Views as to their employment. Only to be resorted to when other means prove in- sufficient. Estimate of Revenue requested. Trusts a Police Force will soon be established. Expression of approval of conduct -	69
31	Oct. 16, 1858 - (Private.) -	ROYAL ENGINEERS ONLY TO BE EMPLOYED IN SURVEYING on account of expense - - -	71
32	Oct. 19, 1858 (32.) -	ENCLOSES LETTER FROM THE ARCHBISHOP OF CANTERBURY, ANNOUNCING ENDOWMENT OF- FERED BY MISS BURDETT COUTTS FOR THE FOUNDATION OF A SEE, and Reply thereto - -	72
33	Nov. 1, 1858 (35.) -	ENCLOSES INSTRUCTIONS ADDRESSED TO COLONEL MOODY - - - - -	73

APPENDIX.

No. 1. MAP showing the different Routes of Communication with the Gold Regions on Fraser's and Thompson's Rivers - - - - -	78
No. 2. HAND BOOK to the Gold Regions, by A. C. Anderson, late Chief Trader, HUDSON'S BAY COMPANY'S SERVICE - - - - -	79

Papers relating to British Columbia.

BRITISH
COLUMBIA.

No. 1.

No. 1.

COPIES of the ACT of PARLIAMENT to provide for the GOVERNMENT of BRITISH COLUMBIA; GOVERNORS' COMMISSION and INSTRUCTIONS; ORDER in COUNCIL to provide for the ADMINISTRATION of JUSTICE; and INSTRUMENT revoking so much of the CROWN GRANT of the 30th May 1838 to the HUDSON'S BAY COMPANY for exclusive TRADING with the INDIANS as relates to the Territories comprised within the Colony of BRITISH COLUMBIA.

ANNO VICESIMO PRIMO & VICESIMO SECUNDO VICTORIÆ REGINÆ.

CAP. XCIX.

An Act to provide for the Government of British Columbia.

[2d August 1858.]

WHEREAS divers of Her Majesty's subjects and others have, by the licence and consent of Her Majesty, resorted to and settled on certain wild and unoccupied territories on the north-west coast of North America, commonly known by the designation of New Caledonia, and from and after the passing of this Act to be named "BRITISH COLUMBIA," and the islands adjacent, for mining and other purposes; and it is desirable to make some temporary provision for the Civil Government of such territories, until permanent settlements shall be thereupon established, and the number of Colonists increased: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. British Columbia shall, for the purposes of this Act, be held to comprise all such territories within the dominions of Her Majesty as are bounded to the south by the frontier of the United States of America, to the east by the main chain of the Rocky Mountains, to the north by Simpson's River and the Finlay Branch of the Peace River, and to the west by the Pacific Ocean, and shall include Queen Charlotte's Island, and all other islands adjacent to the said territories, except as herein-after excepted.

Boundaries of
British Columbia.

II. It shall be lawful for Her Majesty, by any Order or Orders to be by Her from time to time made, with the advice of Her Privy Council, to make, ordain, and establish, and (subject to such conditions or restrictions as to Her shall seem meet) to authorize and empower such officer as She may from time to time appoint as Governor of British Columbia to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as may be necessary for the peace, order, and good government of Her Majesty's subjects and others therein; provided that all such Orders in Council, and all laws and ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

Her Majesty
by Order in
Council may
make or provide
for the making of laws
for the government
of Her
Majesty's subjects
and others
in British Columbia.

III. Provided always, that it shall be lawful for Her Majesty, so soon as She may deem it convenient, by any such Order in Council as aforesaid, to constitute or to authorize and empower such officer to constitute a Legislature to make laws for the peace, order, and good government of British Columbia, such Legislature to consist of the Governor and a Council, or Council and Assembly, to be composed of such and so many persons, and to be appointed or elected in such manner and in for such periods, and subject to such regulations as to Her Majesty may seem expedient.

Her Majesty
may establish a
local legislature
in British Columbia.

IV. And whereas an Act was passed in the forty-third year of King George the Third, intituled "An Act for extending the jurisdiction of the Courts of Justice in the provinces of Lower and Upper Canada to the trial and punishment of persons guilty of crimes and offences within certain parts of North America adjoining to the said provinces:" And whereas by an Act passed in the second year of King George the Fourth, intituled "An Act for regulating the fur trade, and establishing a Criminal and Civil Jurisdiction within certain parts of North America," it was enacted, that from and after the passing of that Act the Courts of Judicature then existing or which might be thereafter established in the province of Upper Canada should have the same civil jurisdiction, power,

Certain provisions of 43 G. 3. c. 138. and 1 & 2 G. 4. c. 66. as regards British Columbia repealed.

BRITISH
COLUMBIA.

and authority, within the Indian territories and other parts of America not within the limits of either of the provinces of Lower or Upper Canada or of any Civil Government of the United States, as the said Courts had or were invested with within the limits of the said provinces of Lower and Upper Canada respectively, and that every contract, agreement, debt, liability, and demand made, entered into, incurred, or arising within the said Indian territories and other parts of America, and every wrong and injury to the person or to property committed or done within the same, should be and be deemed to be of the same nature, and be cognizable and be tried in the same manner, and subject to the same consequences in all respects, as if the same had been made, entered into, incurred, arisen, committed, or done within the said province of Upper Canada; and in the same Act are contained provisions for giving force, authority, and effect within the said Indian territories and other parts of America to the process and acts of the said Courts of Upper Canada; and it was thereby also enacted, that it should be lawful for His Majesty, if He should deem it convenient so to do, to issue a Commission or Commissions to any person or persons to be and act as Justices of the Peace within such parts of America as aforesaid, as well within any territories theretofore granted to the Company of Adventurers of England trading to Hudson's Bay as within the Indian territories of such other parts of America as aforesaid; and it was further enacted, that it should be lawful for His Majesty from time to time, by any Commission under the Great Seal, to authorize and empower any such persons so appointed Justices of the Peace as aforesaid to sit and hold Courts of Record for the trial of criminal offences and misdemeanors, and also of civil causes, and it should be lawful for His Majesty to order, direct, and authorize the appointment of proper officers to act in aid of such Courts and Justices within the jurisdiction assigned to such Courts and Justices in any such Commission, provided that such Courts should not try any offender upon any charge or indictment for any felony made the subject of capital punishment, or for any offence or passing sentence affecting the life of any offender, or adjudge or cause any offender to suffer capital punishment or transportation, or take cognizance of or try any civil action or suit in which the cause of such suit or action should exceed in value the amount or sum of two hundred pounds; and in every case of any offence subjecting the person committing the same to capital punishment or transportation, the Court, or any Judge of any such Court, or any Justice or Justices of the Peace before whom any such offender should be brought, should commit such offender to safe custody, and cause such offender to be sent in such custody for trial in the Court of the province of Upper Canada:

From and after the Proclamation of this Act in British Columbia, the said Act of the forty-third year of King George the Third, and the said recited provisions of the said Act of the second year of King George the Fourth, and the provisions contained in such Act for giving force, authority, and effect within the Indian territories and other parts of America to the process and acts of the said Courts of Upper Canada, shall cease to have force in and to be applicable to British Columbia.

V. Provided always, that all judgments given in any Civil Suit in British Columbia shall be subject to appeal to Her Majesty in Council, in the manner and subject to the regulations in and subject to which appeals are now brought from the Civil Courts of Canada, and to such further or other regulations as Her Majesty, with the advice of Her Privy Council, shall from time to time appoint.

VI. No part of the Colony of Vancouver's Island, as at present established, shall be comprised within British Columbia for the purpose of this Act; but it shall be lawful for Her Majesty, Her heirs and successors, on receiving at any time during the continuance of this Act a joint Address from the two Houses of the Legislature of Vancouver's Island, praying for the incorporation of that island with British Columbia, by Order to be made as aforesaid with the advice of Her Privy Council to annex the said island to British Columbia, subject to such conditions and regulations as to Her Majesty shall seem expedient; and thereupon, and from the date of the publication of such Order in the said island, or such other date as may be fixed in such Order, the provisions of this Act shall be held to apply to Vancouver's Island.

VII. In the construction of this Act the term "Governor" shall mean the person for the time being lawfully administering the Government of British Columbia.

VIII. This Act shall continue in force until the 31st day of December 1862, and thenceforth to the end of the then next session of Parliament: Provided always, that the expiration of this Act shall not affect the boundaries hereby defined, or the right of appeal hereby given, or any act done or right or title acquired under or by virtue of this Act, nor shall the expiration of this Act revive the Acts or parts of Acts hereby repealed.

Appeal from
Judgments in
civil suits to
the Privy
Council.

Vancouver's
Island, as at
present esta-
blished, not to
be included
in British Co-
lumbia.

"Governor."

Act to continue
in force until
December 31,
1862.

Expiration of
act not to affect
Boundaries, &c.

LETTERS PATENT under the Great Seal appointing JAMES DOUGLAS, Esquire, to be Governor and Commander-in-Chief in and over the Colony of BRITISH COLUMBIA and its Dependencies.

BRITISH
COLUMBIA.

Letters Patent, dated 2d September 1858.

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to Our trusty and well-beloved James Douglas, Esquire, greeting :

I. WHEREAS We deem it expedient, in pursuance of an Act passed in the twenty-second year of Our reign, intituled "An Act to provide for the Government of British Columbia," to make more particular provision for the Government of Our said Colony : Now know you, that We, reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said James Douglas, of Our especial grace, certain knowledge, and mere motion, have thought fit to constitute and appoint you, the said James Douglas, to be, during Our will and pleasure, Our Governor and Commander-in-Chief in and over Our Colony of British Columbia and its Dependencies, and in and over all forts and garrisons erected and established, or to be erected and established, in Our said Colony of British Columbia, comprising all such territories as are bounded to the south by the frontier of the United States of America, to the east, by the main chain of the Rocky Mountains, to the north, by Simpson's River and the Finlay Branch of the Peace River, and to the west, by the Pacific Ocean, including Queen Charlotte Island and all other islands adjacent to the said territories, excepting from the said islands Our Island of Vancouver, until the said island shall, in pursuance of the said Act, be hereafter incorporated into Our said Colony.

II. And We do hereby require and command you to do and execute all things in due manner that shall belong unto your said command and the trust We have reposed in you, according to the several powers and authorities granted or appointed you by this Our present Commission and the Instructions herewith given you, or according to such further powers, directions, and authorities as shall at any time hereafter be granted or appointed you, under Our Sign Manual and Signet, or by Our Order in Our Privy Council, or by Us, through one of Our Principal Secretaries of State, and according to such reasonable laws as are now or shall hereafter be in force in Our said Colony.

III. And whereas it has been appointed by Parliament that it shall be lawful for Us, by any Order or Orders to be by Us from time to time made, with the advice of Our Privy Council, to make, ordain, and establish, and, subject to such conditions and restrictions as to Us shall seem meet, to authorize and empower such officer as We may appoint to administer the Government of Our said Colony, to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as may be necessary for the peace, order, and good government of Our subjects and others residing therein ; and whereas We have, in pursuance of the said Act, by Our Order made by Us in Our Privy Council, bearing date this 2d instant, ordered, authorized, empowered, and commanded Our Governor of Our said Colony to make provision for the administration of justice in Our said Colony, and generally to make, ordain, and establish all such laws, institutions, and ordinances as may be necessary for the peace, order, and good government of Our subjects and others residing therein, wherein the said Governor is to conform to and exercise the directions, powers, and authorities given and granted to him by Our Commission, subject to all such rules and regulations as shall be prescribed in and by Our Instructions under Our Signet and Sign Manual accompanying Our said Commission, or by any future Instructions, as aforesaid : Now We do, by this Our Commission, give and grant to you, the said James Douglas, full power and authority to constitute and appoint Judges, and, in cases requisite, Commissioners of Oyer and Terminer, Justices of the Peace, Sheriffs, and other necessary Officers and Ministers in Our said Colony and its Dependencies, for the due and impartial administration of justice and putting the laws into execution, and to administer or cause to be administered unto them such oath or oaths as are usually given for the due execution and performance of offices and places, and for the clearing of truth in judicial matters.

IV. And We do by these presents further give and grant unto you, the said James Douglas, full power and authority, by Proclamation or Proclamations to be by you from

time to time for that purpose issued under the Public Seal of Our said Colony, to make, ordain, and establish all such laws, institutions, and ordinances as may be necessary for the peace, order, and good government of Our subjects and others residing in Our said Colony and its Dependencies: Provided that such laws, institutions, and ordinances are not to be repugnant, but, as near as may be, agreeable to the Laws and Statutes of Our United Kingdom of Great Britain and Ireland: Provided also, that all such laws, institutions, and ordinances, of what nature or duration soever, be transmitted under the Public Seal of Our said Colony for Our approbation or disallowance, as in Our said Order provided: And We do by these presents require and enjoin you that in making all such laws, institutions, and ordinances you do strictly conform to and observe the rules, regulations, and restrictions which are or shall be in that respect prescribed to you by Our Instructions under Our Royal Sign Manual and Signet accompanying this Our Commission, or by any future Instructions, as aforesaid.

V. And We do hereby authorize and empower you, the said James Douglas, to keep and use the Public Seal for sealing all things whatsoever that shall pass the seal of Our said Colony and its Dependencies.

VI. And Our further will and pleasure is, that all public monies raised, or which shall be raised by any Proclamation or Law hereafter to be made within Our said Colony and its Dependencies, be issued out by Warrant from you, and disposed of by you for the support of the Government, or for such other purpose as shall be particularly directed or appointed in and by such Proclamation or Law, and not otherwise.

VII. And We do hereby give and grant unto you, the said James Douglas, full power and authority to erect, constitute, and establish in Our said Island and its Dependencies, such and so many counties, townships, parishes, cities, boroughs, and towns as you shall judge necessary.

VIII. And We do hereby give and grant unto you, the said James Douglas, by yourself, or by your Captains and Commanders by you to be authorized, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within Our said Colony and its Dependencies, and as occasion shall serve, them to march from one place to another, or to embark them for the resisting and withstanding of all enemies, pirates, and rebels, both at sea and land, and to do and execute all and every other thing and things which to Our Governor and Commander-in-Chief doth and ought of right to belong.

IX. And We do hereby give and grant unto you, the said James Douglas, full power and authority, upon sufficient cause to you appearing, to suspend from the exercise of his office within Our said Colony and its Dependencies any person exercising any office or place under or by virtue of any Commission or Warrant granted or which may be granted by Us, or in Our name, or under Our authority, which suspension shall continue and have effect only until Our pleasure therein shall be made known and signified to you. And We do hereby strictly require and enjoin you in proceeding to any such suspension to observe the directions in that behalf given to you by Our Instructions under Our Signet and Sign Manual accompanying this Our Commission appointing you Governor of Our said Colony.

X. And We do hereby give and grant unto you, the said James Douglas, full power and authority, as you shall see occasion, in Our name and on Our behalf, to grant to any offender convicted of any crime in any Court, or before any Judge, Justice, or Magistrate, within Our said Colony and its Dependencies, a pardon, either free, or subject to lawful conditions, or any respite of the execution of any such offender for such period as to you may seem fit, and to remit any fines, penalties, or forfeitures which may become due and payable to Us, but subject to the regulations and directions under Our Royal Sign Manual and Signet accompanying this Our Commission, or in any future Instructions as aforesaid.

XI. And whereas it is necessary to make provision for the execution of this Our Commission in the event of the death, incapacity, removal, or absence of you, the said James Douglas, from Our said Colony: We do hereby declare Our will and pleasure, that in any of the contingencies aforesaid the Government of Our said Colony shall be administered by Our Lieutenant-Governor of Our said Colony; or if there be no Lieutenant-Governor upon the place, by the person whom We may commission to administer the Government of Our said Colony; or if there should be no person so specially commissioned to administer the Government of Our said Colony, then by such person as you, by Warrant under your hand and seal, shall or may appoint to administer the Government of Our said Colony and its Dependencies, to all or either of which

persons We do hereby give and grant all the powers and authorities vested in you by this Our Commission and the Instructions under Our Sign Manual and Signet accompanying the same: Provided, nevertheless, that if the exigencies of Our Service shall at any time require your presence in Our Island of Vancouver, you do continue to exercise all the powers and authorities hereby vested in you, as fully as if you were not absent from the limits of Our said Colony of British Columbia.

XII. And We do hereby require and command all Officers, Ministers, Civil and Military, and all other the inhabitants of Our said Colony and the territories depending thereon, to be obedient, aiding and assisting unto you, the said James Douglas, or in the event of your death, incapacity, or removal or absence from Our said Colony, to such person or persons as may, under the provisions of this Our Commission, assume and exercise the functions of our Governor and Commander-in-Chief in and over Our said Colony.

INSTRUCTIONS to Our trusty and well-beloved JAMES DOUGLAS, Esquire, Our Governor and Commander-in-Chief in and over Our Colony of British Columbia and of its Dependencies, or in his absence to Our Lieutenant-Governor or Officer administering the Government of Our said Colony and its Dependencies for the time being.

Given at Our Court at Osborne House, Isle of Wight, the 2d day of September 1858, in the twenty-second year of Our Reign.

I. With these Our Instructions you will receive Our Commission under Our Great Seal of the United Kingdom of Great Britain and Ireland, constituting you to be Our Governor and Commander-in-Chief in and over Our Colony of British Columbia and its Dependencies; you are therefore with all convenient speed to assume and enter upon the execution of the trust We have reposed in you.

II. And you are, with all due and usual solemnity, to cause Our said Commission, constituting you Our Governor and Commander-in-Chief as aforesaid, to be read and published in the presence of the principal persons of Our said Colony, and you will then and there take the Oath of Allegiance as prescribed by the Act of the first year of King George the First, Statute 2, chapter 13, section 2, and likewise the usual oath for the due execution of the office and trust of Our Governor and Commander-in-Chief in and over Our said Colony and Dependencies, and for the due and impartial administration of justice, and further, the oath required to be taken by Governors of Plantations, to do their utmost that the several laws relating to trade and the plantations be duly observed, which oaths any two Justices of Our said Colony and its Dependencies or of Vancouver's Island, have hereby full power and authority and are required to tender and administer unto you; all which being duly performed, you will administer the said Oath of Allegiance to each of the principal persons then present.

III. You are, by yourself, or by any other person to be authorized by you in that behalf, to administer and to give to all and every such persons as you shall think fit, who shall hold any office or place of trust or profit, or who shall at any time or times pass into Our said Colony and its Dependencies, or be resident therein, the said Oath of Allegiance, save only in cases wherein any other oath or oaths is or are prescribed by the Statutes in that behalf made, or by any of them, in which cases it is Our pleasure and We do hereby direct that you do administer to such persons such other oath or oaths as aforesaid.

IV. It being of the greatest importance to Our Service and to the welfare of Our subjects, that justice be everywhere speedily and duly administered, and that all disorders, delays, and other undue practices in the administration thereof be effectually prevented, We do particularly require you to take especial care that in all Courts where you are authorized to preside justice be impartially administered, and that in all other Courts established within our said Colony and its Dependencies all Judges and other persons therein concerned do likewise perform their several duties, without any delay or partiality.

V. And whereas We have by Our said Commission authorized, empowered, and commanded you, by Proclamation, or Proclamations to be by you for that purpose issued under the Public Seal of Our said Colony, to make all such laws, institutions, and ordinances as may be necessary for the peace, order, and good government of Our

subjects residing in our said Colony and its Dependencies, and other persons, subject to the rules and regulations which are or shall be in that respect prescribed to you by Our Instructions under Our Sign Manual and Signet accompanying Our said Commission, or by any future Instructions as aforesaid: Now We do prescribe to you the following rules and regulations for your guidance:

VI. You are to observe, in making laws, that the style of enacting the same be by the Governor of British Columbia.

VII. You are, as much as possible, to observe, in the passing of all laws, that each different matter be provided for by a different law, without intermixing in one and the same law such things as have no proper relation to each other; and you are more especially to take care that no clause or clauses be inserted in or annexed to any law which shall be foreign to what the title of such law imports, and that no perpetual clause be part of any temporary law, and that no law whatever be suspended, altered, continued, revived, or repealed by general words, but that the title and date of such law so suspended, altered, continued, revived, or repealed be particularly mentioned and expressed in the enacting part.

VIII. You are not to make any law whereby any person may be impeded in establishing the worship of Almighty God in a peaceable and orderly manner, although such worship may not be conducted according to the rites and ceremonies of the Church of England;

IX. Nor any law for the divorce of persons joined together in holy matrimony;

X. Nor any law for granting land or money or other donation to yourself;

XI. Nor any law for making any paper or other currency a legal tender, except the coin of the realm, or other gold or silver coin;

XII. Nor any law for raising money by the institution of public or private lotteries;

XIII. Nor any private law whereby the property of any individual may be affected, in which there is not a saving of the rights of Us, Our heirs and successors, and of all bodies politic or corporate, and of all other persons, excepting those at whose instance or for whose especial benefit such law may be enacted, and those claiming by, from, through, and under them;

XIV. Nor any law for imposing differential duties;

XV. Nor any law the provisions of which shall appear inconsistent with obligations imposed upon us by treaty;

XVI. Nor any law interfering with the discipline of our Land or Sea Forces in the Colony;

XVII. Nor any law that shall purport to be enacted for less than one year;

XVIII. Nor any law, of an extraordinary nature and importance, whereby Our Prerogative, or the rights and property of Our subjects residing in Our said Colony, or the trade and shipping of Our United Kingdom and its Dependencies, may be prejudiced;

XIX. Nor any law containing provisions to which Our assent has been once refused, or which have been disallowed by Us.

XX. You are to take care that all Writs be issued in Our name throughout Our said Colony under your Government.

XXI. You are to take especial care to regulate all salaries and fees belonging to places, or paid upon emergencies, that they be within the bounds of moderation, and that no extortion be made on any occasion whatsoever, as also that tables of all fees be publicly hung up in all places where such fees are to be paid; and you are to transmit copies of all such tables of fees to Us, through one of Our Principal Secretaries of State.

XXII. It is Our will and pleasure that you do in all things conform yourself to the provisions contained in an Act of Parliament passed in the fourth year of the reign of His late Majesty King George the Third, intituled "An Act to prevent paper bills of credit hereafter to be issued in any of His Majesty's Colonies or Plantations in America from being declared to be a legal tender in payment of money, and to prevent the legal tender of such bills as are now subsisting from being prolonged beyond the periods limited for recalling in and sinking the same," and also of an Act passed in the thirteenth year of the reign of His late Majesty, to explain and amend the above-recited Act passed in the fourth year of his reign as aforesaid; and you are not to give your assent to or pass any law whereby bills of credit may be struck or issued in lieu of money, or for payment of money, either to you, Our Governor, or to any person whatsoever, unless a clause be inserted in such law declaring that the same shall not take effect until the said law shall have been approved and confirmed by Us, Our heirs or successors.

XXIII. You shall not, by colour of any power or authority hereby or otherwise granted or mentioned to be granted to you, take upon you to give, grant, or dispose of

any office or place within Our said Colony and its Dependencies, which now is or shall be granted under the Great Seal of Our United Kingdom, or to which any person is or shall be appointed by Warrant under Our Sign Manual and Signet, any further than you may, upon the vacancy of any such office or place, or upon the suspension of any such officer by you, select and nominate any fit person to officiate in the interim, till you shall have represented the matter to Us, through one of Our Principal Secretaries of State, which you are to do by the first opportunity, and have received Our further directions therein.

XXIV. You are to transmit unto Us, through one of Our Principal Secretaries of State, with all convenient speed, a particular account of all establishments of jurisdictions, courts, offices and officers, powers, authorities, fees, and privileges, granted and settled, or which shall be granted and settled, within Our said Colony and its Dependencies, as likewise an account of all the expenses attending the establishments of the said Courts, and of such funds as are settled and appropriated to discharge the same.

XXV. And whereas We have by Our said Commission authorized you, upon sufficient cause to you appearing, to suspend from the exercise of his office within Our said Colony and its Dependencies any person exercising the same under and by virtue of any Commission or Warrant granted or to be granted by Us or in Our name or under Our authority: Now We do charge and require you that, before proceeding to any such suspension, you do signify, by a statement in writing to the person so to be suspended, the grounds of such your intended proceeding against him, and that you do call upon such person to communicate to you in writing a statement of the grounds upon which he may be desirous to exculpate himself, and if, after having considered such statement and exculpation, you should persist in such suspension, you are to transmit the said statement and exculpation to Us, through one of Our Principal Secretaries of State, by the earliest conveyance; but if in any case the interests of Our Service shall appear to you to demand that a person shall cease to exercise the powers and functions of his office instantly, or before there shall be time to take the proceedings herein-before directed, you shall then interdict such person from the exercise of his powers and functions, preserving to him, however, until such proceedings shall have been taken, the emoluments and advantages of his office.

XXVI. And whereas We have by Our said Commission given and granted unto you full power and authority, as you shall see occasion, in Our name and on Our behalf, to grant to any offender convicted of any crime in any court, or before any Judge, Justice, or Magistrate within our said Colony, a pardon, either free or subject to lawful conditions, or any respite of the sentence of any such offender for such period as to you may seem fit: Now We do hereby require and enjoin you to call upon the Judge presiding at the trial of any such offender, who may from time to time be condemned to suffer death by any sentence of any Court within Our said Colony, to make to you a written report of the case of such offender, and specially to attend you thereupon, and such report of the said Judge shall by you be taken into consideration, and you shall not pardon or reprieve any such offender as aforesaid unless it shall appear to you expedient so to do, but in all such cases you are to decide either to extend or to withhold a pardon or reprieve, according to your own deliberate judgment.

XXVII. And whereas there have been great irregularities in the manner of granting Commissions to private ships of war, you are to govern yourself, whenever there shall be occasion, according to the Commission and Instructions granted in this kingdom; but you are not to grant Commissions of marque or reprisal against any Prince or State, or their subjects, in amity with Us, to any person whatsoever, without Our special command.

XXVIII. We do enjoin and require that you do take especial care that Almighty God be devoutly and truly served throughout your Government, and that you will duly exercise the powers herein confided to you for the encouragement of Religion and morality, so far as consistent with established law.

XXIX. It is Our further will and pleasure that you do give your most serious attention to the consideration and appliance of all proper methods for the erecting and maintaining schools, in order to the training up of youth to reading and to a necessary knowledge of the principles of Religion.

XXX. You shall from time to time give unto Us, through one of Our Principal Secretaries of State, an account of the wants and defects of Our said Colony and its Dependencies, what are the chief products thereof, what improvements have been lately made, and what further improvements you conceive may be made, or advantages gained by trade, and in what way We may contribute thereunto.

XXXI. If anything shall happen which may be of advantage or security to Our Colony and its Dependencies under your Government which is not herein or by Our

BRITISH
COLUMBIA.

Commission provided for, We do hereby allow you to take orders for the present therein, giving unto Us, through one of Our Principal Secretaries of State, speedy notice thereof, that so you may receive Our ratification, if We shall approve of the same: Provided always, that you do not, under colour of any power or authority hereby given to you, commence or declare war without Our knowledge, and particular commands therein first obtained for so doing from Us, under Our Sign Manual and Signet, or by Our Order in Our Privy Council.

XXXII. And you are upon all occasions to send to Us, through one of Our Principal Secretaries of State, a particular account of all your proceedings, and of the condition of affairs within your Government.

XXXIII. And whereas We have thought fit, by Our Commission, to direct that in case of your death, incapacity, removal, or absence, and there be at that time no person within Our said Colony commissioned or appointed by Us to be Lieutenant-Governor, or specially appointed by Us to administer the Government of Our said Colony and its Dependencies, a person to be for that purpose appointed by yourself shall take upon him the administration of the said Government, with all the powers and authorities vested in you; it is nevertheless Our express will and pleasure that in such case the person so administering the Government under your Warrant shall forbear to make any laws but what are immediately necessary for the peace and welfare of Our said Colony and its Dependencies without Our particular order for that purpose, and that he shall not take upon him to remove or suspend any of the Judges, Justices of the Peace, or other officer, civil or military, without good and sufficient reasons, of which he shall forthwith transmit an account to Us, through one of Our Principal Secretaries of State.

XXXIV. And whereas great prejudice might happen to Our Service and to the security of Our said Colony by your prolonged absence therefrom, you shall not upon any pretence whatever quit Our said Colony, without first having obtained Our leave for so doing under Our Sign Manual, or through one of Our Principal Secretaries of State, excepting for the purpose of visiting Our Island of Vancouver.

AN ORDER of the QUEEN in Council empowering the Governor of BRITISH COLUMBIA to make Laws, and to provide for the Administration of Justice in the said Colony.

At the Court at Osborne House, Isle of Wight, the 2nd day of September 1858.

PRESENT:

The Queen's Most Excellent Majesty in Council.

WHEREAS by an Act passed in the twenty-second year of the reign of Her Majesty, entitled "An Act to provide for the Government of British Columbia," it is declared lawful for Her Majesty, by any Order or Orders to be by Her from time to time made, with the advice of Her Privy Council, to make, ordain, and establish, and (subject to such conditions as to Her shall seem meet) to authorize and empower such officer as She may from time to time appoint to administer the Government of British Columbia to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as may be necessary for the peace, order, and good government of Her Majesty's subjects and others therein: Provided that all such Orders in Council, and all laws and ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively; provided also, that it shall be lawful for Her Majesty, so soon as She may deem it convenient, by any such Order in Council as aforesaid, to constitute, or to authorize and empower such officer to constitute, a Legislature, to make laws for the peace, order, and good government of British Columbia, such Legislature to consist of the Governor and a Council, or Council and Assembly, to be composed of such and so many persons, and to be appointed or elected in such manner, and for such periods, and subject to such regulations, as to Her Majesty may seem expedient:

Her Majesty, by virtue of the powers vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to order and doth hereby order, authorize, empower, and command the Governor, or the officer for the time being administering the Government of the said Colony of British Columbia, to make provision for the administration of justice; and, further, by Proclamation or Proclamations to be

Governor em-
powered to
make laws.

by him issued for that purpose, under the Public Seal of the said Colony, to make, ordain, and establish all such laws and ordinances as may be necessary for the peace, order, and good government of Her Majesty's subjects and others in the said Colony; subject, nevertheless, to the following conditions, that is to say: that every such law or ordinance as aforesaid shall by the said Governor or officer administering the Government be with all convenient expedition transmitted to Her Majesty, for Her approbation or disallowance thereof or of any part thereof, through one of Her Principal Secretaries of State, and that the same or any part thereof shall not be in force within the said Colony after Her Majesty's disallowance as aforesaid shall be made known therein: Provided nevertheless, and Her Majesty doth hereby reserve to Herself, Her heirs and successors, Her and their right and authority to make and establish, from time to time, with the advice of Her Privy Council, all such laws as may to Her or them appear necessary for the order, peace, and good government of the said Colony and its Dependencies, as fully as if this present Order had not been made.

And it is hereby further ordered, that in providing for the administration of justice in the said Colony, and the making all such laws, institutions, and ordinances, the said Governor or officer for the time being administering the Government of the said Colony shall conform to and exercise all the directions, powers, and authorities given and granted to him by Her Majesty's Commission, the draft of which is hereunto annexed, subject to all such rules and regulations as are prescribed in and by the Instructions under the Royal Sign Manual and Signet accompanying Her Majesty's Commission, or by any Instructions as aforesaid which Her Majesty, with the advice of Her Privy Council, may from time to time make for his guidance herein.

Administration
of justice.

And the Right Honourable Sir Edward Bulwer Lytton, Baronet, one of Her Majesty's Principal Secretaries of State, is to give herein the necessary directions accordingly.

(Signed) C. C. GREVILLE.

COPY of an INSTRUMENT under the Royal Sign Manual, revoking so much of the Crown Grant of 30th May 1838, to the HUDSON'S BAY COMPANY, for exclusive Trading with the Indians, as relates to the Territories comprised within the Colony of BRITISH COLUMBIA, dated 2d September 1858.

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these presents shall come, greeting:

WHEREAS by an Instrument under the hand and seal of the Right Honourable Lord Glenelg, then one of Our Principal Secretaries of State, and dated the 30th day of May 1838, We did, for the reasons and considerations therein recited, grant and give Our licence to the Governor and Company of Adventurers trading to Hudson's Bay, and their successors, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the lands and territories belonging to the United States of America as should not form part of any of Our provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European Government, State, or Power, but subject, nevertheless, as therein-after mentioned; and did give, grant, and secure to the said Governor and Company, and their successors, the sole and exclusive privilege, for the full period of twenty-one years from the date of Our said grant, of trading with the Indians in all such parts of North America as aforesaid (except as therein-after mentioned): Provided nevertheless, and We did thereby declare Our pleasure to be, that nothing therein contained should extend or be construed to prevent the establishment by Us, Our heirs or successors, within the territories aforesaid or any of them, of any colony or colonies, province or provinces, or the annexing any part of the aforesaid territories to any existing colony or colonies, to Us, in right of Our Imperial Crown, belonging, or constituting any such form of Civil Government as to Us might seem meet, within any such colony or colonies, province or provinces; and We did thereby reserve to Us, Our heirs and successors, full power and authority to revoke Our said grant or any part thereof in so far as the same might embrace or extend to any of the territories aforesaid which might thereafter be comprised within any colony or colonies, province or provinces, as aforesaid:

And whereas We have, by Our Commission under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster this second day of

BRITISH
COLUMBIA.
—

September 1858, in the twenty-second year of Our reign, and in virtue as well of the powers vested in Us by an Act, entitled "An Act to provide for the Government of "British Columbia," as of all other powers and authorities belonging to Us in that behalf, established within the territories aforesaid a Colony under the title of British Columbia, bounded, as in the said recited Act is mentioned, to the south by the frontier of the United States of America, to the east by the main chain of the Rocky Mountains, to the north by Simpson's River and the Finlay Branch of the Peace River, and to the west by the Pacific Ocean, and including Queen Charlotte's Island, and all other islands adjacent to the said territories, except as therein-after excepted :

And whereas it has appeared to Us expedient that the right of exclusive trade with the Indians given by Us in manner aforesaid to the Governor and Company of Adventurers trading to Hudson's Bay, and their successors, within the territories in the said Instrument described, should no longer be exercised by them within so much of those territories as is comprised within the said Colony of British Columbia :

Now know ye that We do hereby revoke Our said grant contained in the herein-before recited Instrument of the 30th May 1838, in so far as the same embraces or extends to the territories comprised within the said Colony of British Columbia :

And We do hereby declare, that this present revocation of Our said grant shall take effect within the said Colony as soon as it shall have been proclaimed there by the Officer Administering the Government thereof.

Despatches from Governor Douglas.

BRITISH
COLUMBIA.

No. 1.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Lord STANLEY, M.P.

No 1.

(No. 23.)

Victoria, Vancouver's Island, May 19, 1858.

(Received July 13, 1858.)

(Answered, No. 4, July 16, 1858, p. 42.)

MY LORD,

1. SINCE I had the honour of addressing you on the 8th instant, on the subject of the Couteau Gold Mines, it was currently reported that boats and other small craft from the American shore were continually entering Fraser's River with passengers and goods, especially spirits, arms, ammunition, and other prohibited and noxious articles, and as those acts are in direct violation of the Customs' Laws, as extended to the British Possessions in America, and infringe the rights of the Hudson's Bay Company, I took immediate steps to put a stop to those lawless practices, by issuing a Proclamation, of which a copy is transmitted, warning all persons against the consequences of such offences, and I have since applied to Captain Prevost, of Her Majesty's Ship "Satellite," for an effective force to carry out the measures proposed and set forth in my Proclamation.

Enclosure.

2. That force it is intended to despatch to-morrow, under the direction of an officer of the Customs to be appointed specially for that purpose.

3. I also propose in a few days hence to make an excursion to the Falls of Fraser's River, for the purpose of inquiring into the state of the country, on which I will report to you on my return.

4. The American steamer "Commodore" returned to this port from San Francisco two days ago, with 400 passengers for the Gold Mines, who are preparing to leave in boats and canoes for Fraser's River.

5. The excitement about the Couteau Gold Mines is on the increase, and people are pushing from all quarters in that direction.

6. In our last accounts from that quarter, of the 8th instant, it is stated that 1,500 white miners, at the smallest computation, had reached the diggings, and that they were not finding much gold, in consequence of the rivers being swollen by the melting of the mountain snow. The river beds, which yield the largest quantities of gold, being all flooded, the miners were in search of other diggings, and had found gold in small quantities, probably from one to two dollars a man per day, in almost every part of the country which they have examined, and they expect a large yield when the rivers fall to a lower level.

7. Those accounts are sufficiently promising to nourish the prevalent mania for gold. On all sides the Americans are striving to force a passage into the Gold District through their own territories, attempts being at once made to open roads from Bellingham Bay, from Nisqually, and by the way of the Columbia River.

8. I am now convinced that it is utterly impossible, through any means within our power, to close the Gold Districts against the entrance of foreigners, as long as gold is found in abundance, in which case the country will soon be overrun and occupied by a large white population, whether it be agreeable to our wishes or not; while, on the contrary, it is no less certain that the excitement on the subject will soon altogether cease, if the diggings prove unremunerative, and the crowds now gathering on the banks of Fraser's River will in that case soon abandon the country, and return to their homes. The evil will thus work its own cure without interposition on our part.

9. In the meantime, with the view of escaping the greater evil of compelling people to have recourse to expedients for entering the country by unlawful means, I am striving to legalize the entrance of gold miners into Fraser's River, on certain conditions, which at

BRITISH
COLUMBIA.

once assert the rights of the Crown, protect the interest of the Hudson's Bay Company, and are intended to draw the whole trade of the Gold Districts through Fraser's River to this Colony, which will procure its supplies directly from the Mother Country.

10. With those views I proposed an arrangement on the following terms to the Agents of the United States Pacific Mail Steam Ship Company, who, having steamers of every class connected with their operations in California, and a staff of experienced officers at their disposal, are perhaps better qualified than any other parties for carrying such an arrangement immediately into effect:—

- 1st. That they should place steamers on the navigable route between this place and the Falls of Fraser's River, 130 miles distant from its discharge into the Gulf of Georgia, for the transport of goods and passengers to that point.
 - 2d. That they should carry the Hudson's Bay Company's goods into Fraser's River, and no other.
 - 3d. That they carry no passengers except such as have taken out and paid for a gold mining licence and permit from the Government of Vancouver's Island.
 - 4th. That they pay to the Hudson's Bay Company, as compensation to them, at the rate of two dollars head money for each passenger carried into Fraser's River.
 - 5th. That they should otherwise be allowed to enjoy the whole of the profits on the river transport.
 - 6th. That arrangement to continue in force for one year from this date, and no longer.
11. The Pacific Mail Steam Ship Company have promised to give a decided answer, accepting or rejecting those proposals, on or before the 24th of the present month.
12. If that arrangement be carried into effect, it will be of great advantage to the country at large, and give the Government a decided control over the mining population of the interior.
13. I trust, from its so thoroughly protecting every interest connected with the country, that it will meet with your approval.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Lord Stanley, M.P.,
&c. &c.Enclosure in
No. 1.

Enclosure in No. 1.

PROCLAMATION

By His Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of the Colony of Vancouver's Island and Dependencies, and Vice-Admiral of the same, &c. &c. &c.

WHEREAS it is commonly reported that certain boats and other vessels have entered Fraser's River for trade; and whereas there is reason to apprehend that other persons are preparing and fitting out boats and vessels for the same purpose:

Now, therefore, I have issued this my Proclamation, warning all persons that such acts are contrary to law, and infringements upon the rights of the Hudson's Bay Company, who are legally entitled to the trade with Indians in the British Possessions on the north-west coast of America, to the exclusion of all other persons, whether British or Foreign.

And also, that after fourteen days from the date of this my Proclamation, all ships, boats, and vessels, together with the goods laden on board, found in Fraser's River, or in any of the bays, rivers, or creeks of the said British Possessions on the north-west coast of America, not having a licence from the Hudson's Bay Company, and a sufferance from the proper officer of the Customs at Victoria, shall be liable to forfeiture, and will be seized and condemned according to law.

Given under my hand and seal, at Government House, Victoria, this eighth day of May in the year of our Lord One thousand eight hundred and fifty-eight, and in the twenty-first year of Her Majesty's reign.

(Signed) JAMES DOUGLAS, Governor.

By His Excellency's Command,
Richard Gollidge, Secretary.

God save the Queen.

No. 2.

BRITISH
COLUMBIA.
—
No. 2.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Lord STANLEY, M.P.

(No. 24.)

Victoria, Vancouver's Island, June 10, 1858.

(Received August 9, 1858.)

MY LORD,

(Answered No. 8, August 14, 1858, page 47.)

1. SINCE I had the honour of addressing you on the 19th of May last, in reference to the Couteau Gold Mines, and the immigration of foreigners into Fraser's River, as well as the measures taken to assert the rights of the Crown to enforce the Revenue laws of the empire, and to protect the rights of the Hudson's Bay Company, I have, as therein proposed, made a journey to the Falls of Fraser's River, visited the gold diggings, and seen all the miners below that point; and I will now proceed to give a brief narrative of my proceedings, and the information gathered in respect to the auriferous character of the country in the course of that journey.

2. In consequence of the requisition for assistance made on Captain Prevost, Her Majesty's Ship "Satellite" was anchored off the mouth of Fraser's River, where I joined her on the following day, with the Hudson's Bay Company's propeller "Otter," in which we proceeded up Fraser's River, with the "Satellite's" launch and gig in tow, to Fort Langley, distant about 30 miles from the mouth of the river.

3. The Revenue officers found immediate occupation in the seizure of several lots of contraband goods, and taking 16 unlicensed canoes into custody. The latter being manned exclusively with gold miners, and containing only their mining tools, provisions, and personal clothing, without any merchandise for trade, I caused them to be released, granting a pass at a charge of five dollars to each canoe, and the amount, 80 dollars, so formed, was carried to account of the public Revenue. The contraband goods will be brought to trial on the 11th instant, under the 167th section of the "Customs Consolidation Act, 1853."

4. From Fort Langley we pursued our upward journey, in canoes manned chiefly by native Indians, and accompanied by Captain Prevost in his gig, manned with six of the "Satellite's" seamen.

5. After journeying four days, we reached Fort Hope, the next establishment of the Hudson's Bay Company on Fraser's River, and about 80 miles distant from Fort Langley.

6. The actual gold diggings commence on a bar of Fraser's River about one mile below the point on which Fort Hope is situated, and from that point upwards to the commencement of the Falls, a distance of 20 miles, we found six several parties of miners successfully engaged in digging for gold on as many partially uncovered river bars; the number of whites on those bars being about 190 men, and there was probably double that number of native Indians, promiscuously engaged with the whites in the same exciting pursuit.

7. The diggings became sensibly richer as we ascended the stream as far as "Hill's Bar," four miles below the Falls, which is the richest point workable in the present high state of the river.

8. The gold on those bars is taken entirely from the surface, there being no excavation on any of them deeper than two feet, as the flow of water from the river prevents their sinking to a greater depth.

9. Mr. Hill, the party after whom the bar is named, produced for inspection the product of his morning's (six hours') work, with a rocker and three hands besides himself, the result being very nearly six ounces of clean float gold, worth one hundred dollars in money, giving a return of fifty dollars a day for each man employed. That return the party observed was the largest day's work he had ever made on Fraser's River, and he further remarked, that the same good fortune did not attend him every day.

10. The other miners whom I questioned about their earnings, stated that they were making from two and a half, the lowest, to twenty-five dollars, the highest usual return to the man a day.

11. The greatest instance of mining success which I heard of in course of our journey fell to the lot of a party of three men, who made one hundred and ninety ounces of gold dust in seven working days on "Sailor's Bar," a place about ten miles above the Falls, giving a return of nearly nine ounces a day for each man employed.

12. Thirty miners arrived from the upper country during our stay at the Falls, with very favourable reports as to its productiveness in gold. They told me that they had prospected the banks of Fraser's River as far as the Great Falls, forty miles beyond the confluence of Thompson's River, and also many of its tributary streams, in all

of which they found gold, frequently in pieces ranging from twenty-four grains to half an ounce in weight, and they also observed that the gold was larger in size and coarser the further they ascended the river. Thus, for example, the gold found below the Falls is in thin bright scales or minute particles, while that found at the Great Falls is in pieces ranging, as before said, from twenty-four grains to half an ounce in weight; a circumstance which the miner believes to be indicative of a richer country beyond.

13. The country about the Great Falls has not been closely examined, but the miners generally report its appearance to be promising, and from anything we know to the contrary the whole course of Fraser's River, even to the Rocky Mountains, may be auriferous.

14. Those miners were prevented going further into the country for want of food, which compelled their return to the settlements for supplies. They were very successful about the Great Falls, and made from ten to thirty dollars to the man a day.

15. William C. Johnston, an old California miner, told me that he had prospected Harrison's River, and had travelled from thence to the Great Falls of Fraser's River, and that he had observed in the course of his journey much gold-bearing quartz, and the most promising indications of placer gold. Another old miner assured me that he had found large quantities of gold-bearing quartz in the mountains near Fort Hope, which he thinks will pay better than the California quartz rock; a report which was confirmed by other miners. The miners generally assert that Fraser's River is richer than any "three rivers" in California.

16. Thompson's River and its tributary streams are known to be auriferous, and I have just heard from Mr. McLean, one of the Hudson's Bay Company's officers, that gold has also been lately discovered on the banks of the Great Okanagan Lake.

17. Mr. Richard Hicks, a respectable miner at Fort Yale, assured me that he had found "flour gold," that is, gold in powder, floating on the waters of Fraser's River during the freshet, and he is of opinion that by means of quicksilver gold will be found in every part of Fraser's River, even to its discharge into the Gulf of Georgia.

18. Evidence is thus obtained of the existence of gold over a vast extent of country situated both north and south of Fraser's River, and the conviction is gradually forcing itself upon my mind, that not only Fraser's River and its tributary streams, but also the whole country situated to the eastward of the Gulf of Georgia, as far north as Johnstone's Straits, is one continued bed of gold of incalculable value and extent.

19. Such being the case, the question arises as to the course of policy in respect to Fraser's River which Her Majesty's Government may deem it advisable in those circumstances to follow.

20. My own opinion is, that the stream of immigration is setting so powerfully towards Fraser's River that it is impossible to arrest its course, and that the population thus formed will occupy the land as squatters, if they cannot obtain a title by legal means.

21. I think it therefore a measure of obvious necessity that the whole country be immediately thrown open for settlement, and that the land be surveyed, and sold at a fixed rate, not to exceed twenty shillings an acre. By that means, together with the imposition of a Customs' duty on imports, a duty on licences to miners, and other taxes, a large revenue might be collected for the service of Government.

22. As the Hudson's Bay Company would in that case have to relinquish their exclusive rights of trade, compensation might be made to them for those rights, by an annual payment out of the public Revenues of the country.

23. Either that plan, or some other better calculated to maintain the rights of the Crown and the authority of the laws, should, in my opinion, be adopted with as little delay as possible, otherwise the country will be filled with lawless crowds, the public lands unlawfully occupied by squatters of every description, and the authority of Government will ultimately be set at naught.

24. In anticipation of your instructions to carry some such plan into effect, I have communicated with Mr. Pemberton, the Surveyor-General of Vancouver's Island, and desired him to make temporary arrangements with any qualified persons he may find in this Colony, for the purpose of increasing the staff of surveying officers, and of engaging actively in an extended survey of the lands of Fraser's River, whenever your instructions to that effect are received from England; and in the meantime they can be usefully employed in laying out allotments for sale on Vancouver's Island, there being at present a very great and increasing demand for land in this Colony.

25. I beg also to remark, that it is my intention to confer on Mr. Pemberton the provisional appointment of Surveyor-General of Fraser's River, as he is a gentleman of great experience, and thoroughly well qualified, by previous training in the forests of Vancouver's Island, and great natural talent, for that responsible office.

26. I propose to form a large and efficient corps of surveying officers, to be placed under the management of the Surveyor-General, and to authorize him, after due application to this Government, to establish branch offices wherever required, which will report all proceedings to the general office at this place, superintended by the Surveyor-General, who will be held responsible for the proper management of the department.

27. In consequence of the unceasing demands upon my time by the crowds of people who are flocking to this place, and the want of assistants, my secretary, Mr. Golledge, being greatly overworked, I have been compelled to prepare this report in the midst of numberless interruptions, and I beg that its inaccuracies may be overlooked and that I may receive your instructions by return of post, as the case is urgent, and calls for rapid and decisive measures in the outset, for in the course of a few months there may be one hundred thousand people in the country.

I have &c.

(Signed)

JAMES DOUGLAS,

Governor.

The Right Hon. Lord Stanley, M.P.,
&c.

&c.

No. 3.

No. 3.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Lord STANLEY, M.P.

(No. 25.)

Victoria, Vancouver's Island, June 15, 1858.

(Received August 9, 1858.)

(Answered No. 8, August 14, 1858, page 47.)

MY LORD,

1. I HAVE the honour to enclose herewith copy of an address presented to me in the 12th instant by a committee appointed for that purpose at a public meeting lately held at this place.

Enclosure.

2. I informed the committee, in reply to their address, that I had lately returned from the mines of Fraser's River, and that there was really no actual distress for want of provisions among the mining population in all the accessible parts of the country, and that care would be taken to provide for all their wants.

3. That I had no authority to throw open the trade of Fraser's River, which was secured by Statute to the Hudson's Bay Company; but that I had addressed Her Majesty's Government on that subject, recommending the opening of the Fraser's River district for settlement, and I was of opinion that course would be taken, and compensation be made to the Hudson's Bay Company for any sacrifice of interest they may be called upon to make.

4. I also informed them that the progress of this Colony occupied my careful attention, and that its growing interests would be carefully protected.

5. I also promised to forward their address.

I have, &c.,

(Signed)

JAMES DOUGLAS,

Governor.

The Right Hon. Lord Stanley, M.P.,
&c.

&c.

Enclosure in No. 3.

Enclosure in
No. 3.

To His Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of the Colony of Vancouver's Island and its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

SIR,

At a public meeting held on the 5th instant the following resolution was unanimously adopted, viz. :—

"That a committee be appointed to draw up an address to His Excellency James Douglas, Governor of Vancouver's Island, and chief factor of the Hudson's Bay Company, for the purpose of obtaining free trade with the mining population on Fraser's River; and also that steamers and other vessels be allowed to run between Victoria and the head of navigation on Fraser's River and its tributaries."

We, the undersigned, having been named to carry out the above resolution, beg respectively to solicit your Excellency's earnest attention to the following important points:—

1st.—It is notorious that the stock of provisions in the mining districts is utterly inadequate for the supply even of the present population, many individuals having been compelled to abandon their labours, and return to this and other ports, to obtain the common necessities of life. Many settlers on this island are most anxious to carry supplies to their countrymen at the mines, but are prevented by the obstacles interposed by the Hudson's Bay Company, who have already seized goods to a considerable amount on their way up the river.

BRITISH
COLUMBIA.

We cannot, therefore, consider without serious apprehension the state of confusion and distress which must ensue when the vast numbers now swelling the tide of immigration shall have settled on these shores, should the present restrictions imposed upon trade by the Hudson's Bay Company continue in force.

2d.—We beg to draw your Excellency's attention to the great inconvenience that is suffered by all classes, and by the mining community in particular, for the want of a reliable steam communication between this port and the mining districts; a want which has already caused the loss of many valuable lives. Such a state of things is deplorable in this age, and the more to be regretted when we consider that the means of supplying this want are at hand, and freely offered, but are rejected by the exclusive policy of the Hudson's Bay Company.

It was with great satisfaction that the public heard that on the 5th instant your Excellency had given permission to the American steamers, "Surprise" and "Sea Bird," to carry passengers from this port up Fraser's River, but it heard with deep regret that this permission was given for one trip only.

3d.—We would especially point out for your Excellency's most serious consideration how highly injurious is this state of things to the interests and progress of this important Colony. Many British subjects have recently come here, anxious to make this their home, and have invested in property to a considerable amount, and numbers of their friends are only waiting their advices to follow; but they find their ardour damped and their operations checked by the monopolizing policy of the Hudson's Bay Company. In the meantime, thousands of our countrymen from California are daily passing this beautiful island to settle upon American soil, because they see no fair field offered for their enterprise under the British flag.

We feel assured that your Excellency will at once perceive that in bringing the objects of this memorial so prominently before you we are actuated solely by an earnest desire to advance the interests of this Colony, by providing for the welfare of settlers, and holding out inducements to early immigration, convinced that this is only to be obtained by the speedy adoption of the liberal measures embodied in the Resolution we have submitted.

Requesting that your Excellency will favour us with an early reply,

We have, &c.

Victoria, V. I.,
June 9, 1858.

(Signed by) JAMES YATES.
(And five other persons.)

No. 4.

No. 4.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. LORD STANLEY, M.P.

(No. 26.)

Victoria, Vancouver's Island,
June 15, 1858.

(Received August 9, 1858.)

(Answered, No. 8, August 14, 1858, page 47.)

MY LORD,

1. In reporting the other day the result of my observations on the Gold Regions of Fraser's River, I omitted to mention several things which I ought to have communicated to you.

2. In consequence of that omission I have now to state that during my stay at the Falls of Fraser's River I appointed Mr. Richard Hicks, a respectable Englishman engaged in mining pursuits there, as Revenue officer for the district of Fort Yale, at a salary of 40*l.* a year, to be paid out of the Revenues of the country.

3. On the arrival of our party at "Hill's Bar," the white miners were in a state of great alarm on account of a serious affray which had just occurred with the native Indians, who mustered under arms in a tumultuous manner, and threatened to make a clean sweep of the whole body of miners assembled there.

4. The quarrel arose out of a series of provocations on both sides, and from the jealousy of the savages, who naturally feel annoyed at the large quantities of gold taken from their country by the white miners.

5. I lectured them soundly about their conduct on that occasion, and took the leader in the affray, an Indian highly connected in their way, and of great influence, resolution, and energy of character, into the Government service, and found him exceedingly useful in settling other Indian difficulties.

6. I also spoke with great plainness of speech to the white miners, who were nearly all foreigners, representing almost every nation in Europe. I refused to grant them any rights of occupation to the soil, and told them distinctly that Her Majesty's Government ignored their very existence in that part of the country, which was not open for the purposes of settlement, and they were permitted to remain there merely on sufferance; that no abuses would be tolerated; and that the laws would protect the rights of the Indian, no less than those of the white man.

7. I also appointed Mr. George Perrier, a British subject, as Justice of the Peace for the district of "Hill's Bar," and directed the Indians to apply to him for redress whenever any of them suffer wrong at the hands of white men, and also cautioned them against taking the law into their own hands, and seeking justice according to their own barbarous customs.

8. I also appointed Indian magistrates, who are to bring forward, when required, any man of their several tribes who may be charged with offences against the laws of the country; an arrangement which will prevent much evil; but without the exercise of unceasing vigilance on the part of the Government Indian troubles will sooner or later occur.

9. The recent defeat of Colonel Steptoe's detachments of United States troops, consisting of dragoons and infantry, by the Indians of Oregon territory, has greatly increased the natural audacity of the savage, and the difficulty of managing them. It will require, I fear, the nicest tact to avoid a disastrous Indian war.

10. I transmit herewith a hand book and map of the Gold Region of Fraser's River, which will prove useful as a reference.

Enclosure.

Vide Appendix
No. .

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Lord Stanley, M.P.,
&c. &c.

Enclosure in No. 4.

Enclosure in
No. 4.Extract from "*Pioneer and Democrat*."May 28th, 1858.
Washington Territory.

"Another Indian War.—Startling Intelligence. Defeat of Col. Steptoe. Fifty-three Men killed.

"JUST as we are getting our paper ready for the press (Thursday afternoon), an express arrived from the head-quarters of Col. Steptoe in the Simcoe Valley, with despatches for Lieut. Col. Casey, and letters to His Excellency Gov. McMullin, informing them of the defeat, on the 16th instant, at the first crossing of Snake River, about 30 miles above its junction with the Columbia, of the command of Col. S. The command consisted of five companies or 400 men. The Indians are reported as having been 1,500 strong, and composed of the Snake, Palouse, and other tribes. The action resulted in three officers and 50 men killed. Two of the officers killed are Capt. Wynders and Lieut. Gasden. The Indians took two howitzers which belonged to the command, and all but 60 pack animals. In fact, so complete is said to have been the rout, that the officer in command was compelled to fall back with the utmost precipitation. The battle took place while the regulars were in the act of crossing the river.

"Col. Steptoe had proceeded into the Snake country peaceably to treat with them, or proceed to hostilities, if necessary. The object of his visit was probably of a similar character with that of Major Haller, some three years since, and which resulted in a like unfortunate manner. Major H., our readers will remember, proceeded thence with a force of 104 men, and in a peaceable manner demanded the murderers of the emigrants of 1854. The result was, that instead of bringing to justice these depredators and murderers, he brought home the bodies of 22 of his command, killed or wounded, on litters."

No. 5.

No. 5.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Lord STANLEY, M.P.

(No. 28.)

Victoria, Vancouver's Island, June 19, 1858.

(Received August 9, 1858.)

(Answered No. 8. August 14, 1858, page 47.)

MY LORD,

1. I FEAR the frequent and desultory nature of my Despatches will give you much trouble, but the pressure of business compels me to address you in this form.

2. Reports are continually arriving here confirmatory of the extent and value of the Fraser's River Gold Region; and Captain Stuart, of the Hudson's Bay Company's Service, has just reported the discovery of gold in the Cowetchin Valley, Vancouver's Island, on the authority of Indian testimony.

3. Another report has just been made officially by Mr. Brotchie, that he saw and examined the contents of a purse, containing about 20% worth of gold dust, which an Indian had collected in Howe's Sound or Burrard's Canal, situated in the Gulf of Georgia, a little north of Fraser's River; a fact which adds force to the opinion expressed in the 18th paragraph of my Despatch No. 24.* of the 10th of June 1858, respecting the

*Vide page .

BRITISH
COLUMBIA.

impression I entertained of the auriferous character of the country to the eastward of the Gulf of Georgia, as far north as Johnstone's Straits.

4. Your Lordship will not be surprised to learn that, under these circumstances, the gold excitement throughout this Colony, California, and Oregon continues unabated.

5. Crowds of people are coming in from all quarters. The American steamer "Commodore" arrived on the 13th instant from San Francisco with 450 passengers, and the steamer "Panama" came in yesterday from the same port with 750 passengers, and other vessels are reported to be on the way.

6 Two river steamers, the "Surprise" and "Sea Bird," both owned by American citizens, ply with passengers between this port and Fraser's River, the former having made her way up that stream as far as Fort Hope, one hundred ten miles from the sea. The miners by that means reach their destination with safety and despatch.

7. The quantity of gold collected by the Hudson's Bay Company up to the present time rather exceeds 10,000*l*. in value, and I saw during my recent excursion a large quantity of gold among the miners.

Enclosure.

8. I herewith forward, for your information, a copy of the terms on which it is proposed to allow steam vessels to ply upon Fraser's River, enforcing at once the Revenue laws of the empire, and respecting the trading rights of the Hudson's Bay Company.

9. Those terms are not exclusive, but open to acceptance by any parties, undertaking the performance of the proposed conditions. The object of all those measures is to give facilities to miners, and to secure the trade of the Gold Regions for our own country, as it will otherwise take the direction of the Columbia River into American Oregon.

10. We have commenced levying the duty on mining licences, all parties entering the river by the licensed steam vessels being required to pay one month's licence in advance. We have collected about 420*l*.; a Revenue that I will hold subject to your Instructions.

11. When Fraser's River, now greatly swollen, subsides, and the miners get fairly to work, I propose to appoint a Commissioner and Local Collectors for those dues, as soon as fit and proper persons to fill those offices can be found.

12. Mr. William A. G. Young, at present in Her Majesty's Service as Secretary for the Boundary Commission, is highly qualified in every respect for the office of Gold Commissioner, and I should be glad to obtain your permission to secure the services of that gentleman.

13. I have no doubt that your Lordship will send out a body of troops for the service of this Colony and the Fraser's River District.

14. The miners have applied to me for protection against the natives, and when that is accorded will have no hesitation in paying the licence duty; otherwise it will be paid with reluctance.

15. They have also applied to me for negotiable orders in payment of gold delivered to Government agents in the mines, and for the organization of a Postal System for the transmission of letters.

16. Will you kindly give me Instructions on those subjects herein referred to?

I have, &c.

(Signed) JAMES DOUGLAS,

The Right Hon. Lord Stanley, M.P.,
&c. &c.

Governor.

Enclosure in
No. 5.

Enclosure in No. 5.

The AGENTS of the HUDSON'S BAY COMPANY agree to license one or more Steamers to ply from Victoria to and on Fraser's River, on the following terms:—

1st.—To receive and transport no goods to, on, or from Fraser's River except the goods of the Hudson's Bay Company, or such as they may permit to be shipped; and that for the transport of such goods that the freight do not exceed the following rates, viz.:—

Victoria to Langley	-	\$ 10	} per ton of 2,000 lbs. or 40 feet measurement.
Langley to Fort Hope	-	\$ 10	
Fort Hope to Fort Yale	-	\$ 5	

Return rates to be on the same scale.

2d.—To carry no passengers to or on Fraser's River who have not taken out a mining licence and permit from the Government of Vancouver's Island, and paid one month's advance thereon.

3d.—To pay head-money to the Hudson's Bay Company, at the rate of two dollars for each passenger proceeding into Fraser's River or taking passage from Fort Langley upwards. A settlement to be made at the end of each trip; an officer of the Hudson's Bay Company to be received on board without charge to attend to such business, if required by the Hudson's Bay Company.

4th.—That all vessels plying to or on the river be commanded and owned by British subjects.

5th.—That permits on said terms will be continued till expiry of the Company's licence of trade in the month of May 1859.

Vancouver's Island,
18th June 1858.

No. 6.

No. 6.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Lord STANLEY, M.P.

(No. 29.)

Victoria, Vancouver's Island, July 1, 1858.

(Received August 9, 1858.)

(Answered, No. 8. August 14, 1858, page 47.)

MY LORD,

1. SINCE I had last the honour of addressing you on the 19th instant, the excitement on the subject of the Fraser's River Gold Mines has been more than ever exhibited in the rush of people from all parts of the coast to this Colony.

The Custom-House books of this place show a return of—

19 steam ships,
9 sailing ditto,
14 decked boats,

which have entered at the port of Victoria since the 19th of May last, having 6,133 passengers on board, all either bound directly for Fraser's River, or proposing to settle at this place, with the view of entering into business connexions with parties at the mines.

2. The ascertained number of persons who had actually sailed from the port of San Francisco, with the intention of going into the Fraser's River mines, up to the 15th instant, was 10,573, and there was then no abatement in the demand for passages, every vessel being taken up as soon as advertised to sail for Vancouver's Island.

3. Those statements give a proximate idea of the number of persons at and on the way to Fraser's River from California and other more distant countries, but do not represent the increase of population derived from the United States territories of Washington and Oregon, through parties of adventurers who have entered the British Possessions by land. We are, therefore, led to the inference that this country and Fraser's River have gained an increase of 10,000 inhabitants within the last six weeks, and the tide of immigration continues to roll onward without any prospect of abatement.

4. No complaints have been made as to the department of the emigrants, who, notwithstanding the weakness of the Colonial Executive, have been quiet and submissive to the laws of the country.

5. We continue successfully to enforce at this place the pre-payment of one month's licence fee, that is, the sum of five dollars, on all persons entering Fraser's River for the purpose of gold mining, for which a receipt is given in the accompanying form.

6. We have up to this day issued 2,221 such receipts at this place, and 304 more were issued by Captain Prevost, of Her Majesty's Ship "Satellite," when stationed off the entrance of Fraser's River, making a total issue of 2,525 licence receipts to as many respective miners; and we have thereby collected the sum of 12,625 dollars on account of the territorial Revenue, which I hold subject to your instructions.

7. I have lately received a communication from Mr. Travailot, a gentleman who has resided for some months past in the Couteau Gold Diggings. He represents the country as exceedingly rich, and abounding in gold, fully to as great an extent as California in its better days.

8. The returns given in his report refer to "Morman Bar," in the bed of Fraser's River, six miles above the junction of Thompson's River, and state the produce as follows, viz.:—

	Dollars.
One rocker yielded in 8 days a quantity of gold dust equal in value to	830·0
A second rocker yielded in 12 days	800·0
A third rocker yielded in 5 days	248·0

9. The second table shows the yield procured from the "Dry Diggings," on the table land at the distance of 30 yards from the bed of Fraser's River, at the "Fountain," 64 miles above the junction of Thompson's River, and gives the following as the average

BRITISH
COLUMBIA.

daily return of each of five rockers, employed there for seven days between the 1st and 7th of June instant :—

			Dollars.	Cents.	
1st rocker	-	-	42	12	return per diem.
2d "	-	-	55	58	"
3d "	-	-	37	69	"
4th "	-	-	46	58	"
5th "	-	-	54	51	"

It may perhaps be necessary to explain, that the rocker is a machine for washing out gold made in the form of a child's cradle, and fitted with perforated plates of iron and transverse bars of wood to intercept the pieces of gold, in the process of washing.

Those referred to in the foregoing statement were worked by two white men, which gives a daily return ranging from 18 to 27 dollars to the man.

Enclosure 2.

10. Mr. Travaillot's report is important, in consequence of its being the first authentic information received of gold being discovered in the soil, apart from the river beds.

11. I have thus much pleasure in communicating for your information that every succeeding report tends to confirm the belief as to the great value and extent of the auriferous deposits in this country.

12. I have appointed Mr. Travaillot Revenue officer for the District of Fort Dallas, or Forks of Thompson's River, and will authorize him to issue licences to miners, and to collect the legal fees in that District. The law must, however, be imperfectly executed until there be a military force placed at my disposal.

13. I will authorize Mr. Travaillot to raise and maintain a force of eight men for the service of Government, and to swear in all persons who take out mining licences as special constables, for the maintenance of law and order, granting to them also certain privileges in respect to mining claims, in order to secure their fidelity and attachment.

14. About two thirds of the emigrants from California are supposed to be English and French; the other third are Germans, and native citizens of the United States. There is no congeniality of feeling among the emigrants, and provided there be no generally felt grievance to unite them in one common cause there will, in my opinion, always be a great majority of the population ready to support the measures of Government.

I have, &c.

The Right Hon. Lord Stanley, M.P.,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure 1 in
No. 6.

Enclosure 1 in No. 6.

FORMS.

Victoria,

1858.

No.

Received from
Mining Licence, in advance.

the sum of five dollars in payment of one month's

FORM.

Not transferable.

No.

185 .

The bearer,

having paid to me the sum of twenty-one shillings, on account of the territorial revenue, I hereby license him to dig, search for, and remove gold on and from any such Crown lands within the Conteau and Fraser's River districts as shall be assigned to him for that purpose by any one duly authorized in that behalf.

This licence to be in force for three months, ending

and no longer.

Received

Received

Received

Regulations to be observed by the persons digging for gold, or otherwise employed at the Gold Fields :—

1. This licence is to be carried on the person; to be produced whenever demanded by any commissioner, peace officer, or other duly authorized person.

2. It is especially to be observed that this licence is not transferable, and that the holder of a transferred licence is liable to the penalty for misdemeanor.
3. No mining will be permitted where it would be destructive of any line of road which it is necessary to maintain, and which shall be determined by any commissioner, nor within such distance around any store as it may be necessary to reserve for access to it.
4. It is enjoined that all persons on the gold fields maintain a due and proper observance of Sundays.
5. The extent of claim allowed to each licensed miner is twelve feet square, or 144 square feet.
6. To a party consisting of two miners, twelve feet by twenty-four, or 288 square feet.
7. To a party consisting of three miners, eighteen feet by twenty-four, or 432 square feet.
8. To a party consisting of four miners, twenty-four feet by twenty-four, or 576 square feet; beyond which no greater area will be allowed in one claim.

CONDITIONS OF SUFFERANCE.

- 1st. That the owner of this boat does bind himself to receive no other goods on board but such goods as belong to the Hudson's Bay Company.
- 2nd. That the said owner also binds himself not to carry or import gunpowder, ammunition, arms, or utensils of war, except from the United Kingdom.
- 3rd. That he also binds himself to receive no passengers, except the said passengers do produce a gold mining licence and permit from the Government of Vancouver's Island.
- 4th. That the said owner also binds himself not to trade with Indians.

Enclosure 2 in No. 6.

Enclosure 2 in
No. 6.

COPY of a Letter from Mr. TRAVAILLOT to Governor DOUGLAS, dated Victoria, Vancouver's Island, 24th June 1858, with Enclosure.

MONSEIGNEUR,

CONFORMEMENT à vos désirs j'ai l'honneur de vous envoyer ci-joint le net produit de quelques roqueurs installés sur la Rivière Fraser. Ayant moi-même pesé jour pour jour la poudre d'or retirée par les mineurs, je puis vous donner ces renseignements comme parfaitement authentiques.

Veillez agréer, Gouverneur, l'expression de la haute considération avec laquelle j'ai l'honneur d'être

De votre Excellence

Le très humble et dévoué serviteur,

(Signé) O. TRAVAILLOT,
C. L. C.

Morman Bar, Fraser's River, six milles au nord des Fourches Thompson's River.

Mois de Février 1858 : Un roqueur a donné, en 8 jours, 830 dollars.

" " Un second roqueur a donné, en 12 jours, 800 dollars.

Mars 1858 : Un troisième roqueur a donné, en 5 jours, 248 dollars.

TABLEAU indiquant jour par jour le produit de 5 roqueurs établis à la Fontaine, 64 milles au nord des Fourches :—

Juin 1858.	1st Roqueur.	2nd Roqueur.	3rd Roqueur.	4th Roqueur.	5th Roqueur.
	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.
1	38	50	42	40	50
2	40	51	38	29	51
3	41	53	29	50	52
4	28	55	18	33	56
5	32	60	54	64	53
6	64	62	39	58	55
7	52	58	48	52	64
Totaux -	295	389	268	326	381
Average par jour	42.12	55.58	37.699	46.58	54.41

Dans tous les travaux faits le mercure n'a jamais été employé, et conséquemment, vu l'extrême finesse de la poudre d'or, nul doute qu'un sixième ou moins a été perdu.

BRITISH
COLUMBIA.
No. 7.

No. 7.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Lord STANLEY, M.P.
(No. 31.)

Victoria, Vancouver's Island, July 26, 1858.

Received September 10, 1858.)

(Answered, No. 20, September 16, 1858, page 65.)

MY LORD,

Enclosure.

1. I HAVE the honour of transmitting herewith copies of correspondence with Captain Prevost of Her Majesty's Ship "Satellite," touching the enforcement of the Revenue laws and licence regulations applicable to Fraser's River.

2. Your Lordship will observe that he has on all occasions cordially responded to my demands, and given such aid and assistance in carrying out the views of this Government in preventing the lawless intrusion of foreign ships and people into Fraser's River as was consistent with the nature of his Instructions from Her Majesty's Government, and the demands upon his time of the special service on which the "Satellite" was detached to this coast.

3. In consequence, however, of the frequent, and, for the reasons before stated, necessary absence of the "Satellite" from Fraser's River, there have been many evasions of the law, by means of canoes and other small craft, which have stealthily entered and ascended Fraser's River without a Customs' permit or the pre-payment of a month's advance on the mining licence of each miner, as required by the existing regulations.

4. I therefore much regret that I have not a permanent force under my control, for the protection of the Revenue laws of the country, as they would in that case produce a return far exceeding the expense of maintaining such a force, besides upholding the moral influence of Her Majesty's Government.

5. The regulations we have established, and which we seek to enforce in the Fraser's River District, are only such as have reference to my Instructions from Her Majesty's Government, and to the rights of the Crown with respect to minerals in their natural place of deposit.

6. I will, for your Lordship's information, concisely enumerate the objects we wish to attain through those regulations:—

In the first place, I have distinctly, and to all applicants for land, refused the grant of any rights of occupation, in accordance with the Instructions from Mr. Secretary Labouchere, as detailed in his Despatch, No. 4. of the 1st February 1858, and also with the view of presenting the confusion and numberless evils that have in all cases grown out of the practice of squatting on Crown lands, or the lawless occupation of a country;

2ndly. I have endeavoured to protect the trading rights of the Hudson's Bay Company as by law established;

3rdly. I have established the system of issuing licences for digging gold, the charge for each mining claim of 25 feet of river frontage, or 20 square feet of river bar or dry diggings, being fixed at 21s. or five dollars a month, the Revenue derived from this source being held for the benefit of the Crown.

There are also regulations respecting the draining of water ponds and working quartz veins which will, I trust, hereafter yield a large amount of Revenue for the Crown.

7. To carry those objects into effect I have appointed the following officers:—

Assistant Commissioners of Crown Lands.

O. T. Travillot	-	-	Thomson's River.
Richard Hicks	-	-	Fort Yale.

Justice of the Peace.

George Perrier	-	-	District of Hill's Bar.
----------------	---	---	-------------------------

Revenue Officer.

William Henry Bevis	-	-	Fort Langley.
---------------------	---	---	---------------

And others will be appointed as soon as fit and trusty persons can be found to fill those offices with credit and respectability.

8. I propose to pay those officers out of the Revenue raised in this country.

9. With the exception of the aid received from Her Majesty's Ship "Satellite" operating on the sea coast, I have had no military force whatever to employ in the interior of Fraser's River, which is now occupied by a population little short of 9,000

white miners, and hundreds of other persons are travelling towards the Gold Mines, and preparing to join them.

10. The country, nevertheless, continues quiet; and, notwithstanding our want of physical force, I have not scrupled in all cases to assert the rights of the Crown, and to enforce the laws of the land for the punishment of offences; and we have, thanks to the Almighty, encountered neither resistance nor opposition in the discharge of those sacred duties.

11. To supply the mining population of Fraser's River with food, we have licensed two American steam vessels to ply upon the waters of Fraser's River, and one of those vessels has succeeded in reaching the Falls, or Fort Yale, about one hundred and thirty miles from the discharge of the Fraser into the Gulf of Georgia.

12. The agents of the Hudson's Bay Company have laid in large quantities of mining tools and provisions for the use of the miners, which they supply at merely remunerative prices, greatly to the advantage and satisfaction of the mining population.

13. Notwithstanding the great number of people assembled in Fraser's River, it does not appear that there has been a large production of gold, as most of the river bars are still inundated: nevertheless the miners have unwavering faith in the richness of the country, and are in great spirits in anticipation of an early fall in the river.

14. I have accounts of 5,000 ounces of gold dust which have been actually exported from Fraser's River since the month of May last, and we have estimated that as much as half that quantity has been carried away in small quantities by return miners, comprising, as I believe, the whole export of gold dust for that period.

15. We are therefore led to believe that the miners are hoarding up their gold dust, either from not being in immediate want of supplies, or more probably from not knowing how to remit or where to place it in security, and for that reason, among many others, I am considering the ways and means of having their earnings conveyed to the sea coast under Government escort, and placing them in charge of a public treasurer, until they are called for by the depositors, the conveyance and other expenses to be defrayed by a charge on the deposits.

16. The advantages expected from that measure are manifold. We hope, for instance, to draw the gold by that means to this Colony, from whence, instead of being exported to other countries, it will find its way to England in return for our own home manufactures.

17. Another important object I have in view is the improvement of the internal communications of the country, which at present are, for all practical purposes, nearly inaccessible beyond Fort Yale, in consequence of a range of mountains running north and south, which there interpose an almost insurmountable barrier to the progress of trade.

18. To the eastward of that range of mountains the country is open, and comparatively level, and the construction of good roads would be a matter of easy accomplishment; in fact, it is even at present almost every where accessible for pack horses.

19. It is therefore evident that the construction of a good road through that mountain barrier, though passable in the first instance only for pack horses, would be of prodigious advantage to the country; and such a road might, I think, be carried through the valley of Harrison's River, at a moderate expense, to a point near the Great Falls of Fraser's River, to the eastward of the mountains in question, from whence the country is easy of access; and should no Instructions militating with that design be in the meantime received from Her Majesty's Government, I will probably make the attempt in course of the present summer.

20. I am not without cause looking forward most anxiously to receiving your Instructions respecting the plan of Government for Fraser's River. The torrent of immigration is setting in with impetuous force, and to keep pace with the extraordinary circumstances of the times, and to maintain the authority of the laws, I have been compelled to assume an unusual amount of responsibility. I trust, however, from the present hasty review of the reasons which have influenced my public measures, that they will meet with the approval of Her Majesty's Government.

The Victoria Gazette of the 24th instant, which I herewith transmit, will give much interesting information respecting the Gold Mines and other public matters.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Lord Stanley, M.P.,
&c. &c.

BRITISH
COLUMBIA.

Enclosure 1 in No. 7.

COPY of LETTER from Governor DOUGLAS to JAMES C. PREVOST, Esquire, Captain H.M.S. "Satellite," dated Victoria, Vancouver's Island, 15th May 1858.

SIR,

I TRANSMIT herewith, for your information, copy of a Proclamation lately issued, in consequence of reported violations of the British territory by foreign boats and vessels, and of infringements of the chartered rights of the Hudson's Bay Company, warning all persons that such acts are contrary to law, and that whosoever takes part in them will be subjected to the penalties which the law denounces against such offences.

No military force being maintained by this Colony, I am under the necessity of calling upon you to furnish an effective force for the purpose of carrying out the measures proposed and set forth in my Proclamation, and generally to enforce obedience to the laws.

I have also to inform you that I propose leaving this Colony for a short time, on an excursion to the Falls of Fraser's River, for the purpose of inquiring into the state of the country, and ascertaining, as far as can be effected from personal observation, the character of the navigation to that point, subjects in respect to which Her Majesty's Government are especially desirous to obtain information; and I think it desirable that you should accompany me on that journey, and that the "Satellite" should proceed at the same time to Point Roberts, as an imposing display of force at that point will have a powerful moral effect, and prevent much future evil.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

COPY of a LETTER from JAMES C. PREVOST, Esquire, Captain H.M.S. "Satellite," to Governor DOUGLAS, dated Esquimalt, 18th May 1858.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 15th instant, transmitting for my information a copy of a Proclamation lately issued, in consequence of reported violations of British territory by foreign boats and vessels, and requesting, as there is no military force maintained by this Colony, that I will furnish an effective force for the purpose of carrying out the measures proposed; and informing me of your intention of leaving the Colony for a short time on an excursion to the Falls of Fraser's River, with the object of inquiring into the state of the country, and proposing that I should accompany you on that journey, and that the "Satellite" should proceed with us as far as Point Roberts, as you deem that an imposing display of force at that point will have a powerful moral effect, and prevent much future evil; and also forwarding for my information the copy of a letter which you have recently addressed to the Commander-in-Chief on the Pacific Station, in which the circumstances attendant upon the discovery of gold on Fraser's River, and the causes which have led to your present action, are more fully detailed.

In reply thereto I beg your Excellency will permit me to assure you, that under the peculiar circumstances in which you are placed, and the self-evident and urgent necessity that exists for the assertion and preservation of the rights of territory, I shall be most ready to co-operate with you in any way, and to afford you any assistance that I may be able, and that it may be within the limits of my power to grant; but, as your Excellency is aware, the "Satellite" is employed on a particular and special service, which has claims upon her prior to all others, and therefore the assistance I can at present render is very limited. For the next fortnight, however, the deviation of the ship from her particular duties will not be of any consequence, and therefore I am able to accede to your Excellency's requisition regarding the display of the ship at Point Roberts, and I shall be able to accompany you in person upon your proposed visit to the neighbourhood of the Gold Regions. I therefore propose to quit this anchorage to-morrow morning, and to proceed in the "Satellite" to Point Roberts, where I will await further communication from your Excellency.

I have, &c.
(Signed) JAMES PREVOST,
Captain H.M.S. "Satellite."

COPY of LETTER from Governor DOUGLAS to JAMES C. PREVOST, Esquire, dated Hudson's Bay Company's Steamer "Otter," off Point Roberts, 21st May 1858.

SIR,

I HAVE further to communicate, for your information in respect to the enforcement of the Revenue laws in and about the entrance of Fraser's River, that it is my present intention to appoint Augustin Welling, now residing at Fort Langley, to the management and collection of the Customs for the district of Fraser's River, and the performance of all duties connected with that office. He will require the assistance of a well-appointed military force in support of his authority, as the British frontier is now violated by American vessels in the most open manner.

I have, therefore, in the Queen's name, to request that a detachment, sufficiently strong to maintain, if requisite, by force of arms, the authority of the laws, may be furnished from Her Majesty's ship "Satellite," now under your command, and directed to proceed without delay to Fort Langley, in tow of the Hudson's Bay Company's propeller "Otter."

I also herewith transmit, for your information, copy of a Despatch which I addressed to Rear-Admiral Baynes on the 12th of May last, which will further explain the motives which have induced me to make this requisition on you.

BRITISH
COLUMBIA.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

COPY of LETTER from JAMES C. PREVOST, Esquire, Captain H.M.S. "Satellite," to Governor DOUGLAS, dated Point Roberts, 22d May 1858.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, dated Hudson's Bay Company's steamer "Otter," off Point Roberts, 21st May 1858, acquainting me of your intention to appoint a collector of Customs for the district of Fraser's River, and requesting that a detachment, sufficiently strong to maintain, if requisite, by force of arms the authority of the laws, may be furnished from Her Majesty's ship "Satellite," to support the collector in the exercise of his office, as the British frontier is now violated by foreign vessels in the most open manner.

2. In reply thereto I have to acquaint you, that I purpose to take my gig with me on our excursion up Fraser's River, and I have now ordered the launch of the "Satellite," with her crew, and a detachment of marines consisting of one non-commissioned officer and four privates, to be ready to accompany us as far as Fort Langley. The launch will be in the charge of Lieutenant Gooch of the "Satellite," and he will be instructed to pay due attention to any requisitions the collector of Customs may make to him.

3. I trust that the presence of this boat in the river will have the desired effect of preserving order, and that there will be no necessity to require her to have recourse to active measures for the enforcement of the law.

4. As I have already explained to your Excellency in my Despatch of the 18th instant, the "Satellite" has special duties to perform, and as for the execution of those duties, I am necessitated to return in the course of a fortnight to Vancouver's Island, I shall be obliged to withdraw the launch from Fraser's River upon the departure of the ship from Point Roberts.

I have, &c.
(Signed) JAMES C. PREVOST,
Captain H.M. Ship "Satellite,"
and Senior Naval Officer present.

COPY of Letter from JAMES C. PREVOST, Esquire, Captain H.M.S. "Satellite," to Governor DOUGLAS, dated Esquimalt, Vancouver's Island, 9th June 1858.

SIR,

ON the receipt of the last mail from England, upon my return to this anchorage, I find that the services of the "Satellite," in connection with the special duty upon which she is employed, are not likely to be called into requisition until about the end of the present month, I shall therefore, until that time, be ready to render you any assistance that I may be able in regard to the preservation of territorial rights and the maintenance of the laws, under the peculiar and unforeseen circumstances consequent upon the discovery of gold in Fraser's River, as alluded to in your Despatch of the 15th May 1858, and in my reply thereto of the 18th May.

I have, &c.
(Signed) JAMES C. PREVOST.
Captain H.M.S. "Satellite," and Senior Officer
present at Vancouver's Island.

COPY of Letter from Governor DOUGLAS to JAMES C. PREVOST, Esquire, Captain H.M.S. "Satellite," dated Victoria, Vancouver's Island, 14th June 1858.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 9th instant, informing me with reference to my letter to you of the 15th ultimo, and to your reply thereto of the 18th ultimo, that in consequence of the special duty upon which the "Satellite" is employed not requiring her services until about the end of the present month, you can until that time render me any assistance that you may be able in regard to the preservation of territorial rights and to the maintenance of the laws, under the circumstances consequent upon the discovery of gold in Fraser's River.

In reply thereto, I beg to offer you my best thanks for your ready co-operation, and I would therefore request you would be good enough to proceed again with the "Satellite" to the entrance to Fraser's River, for the purpose of continuing the beneficial moral effect which I have every reason to feel sure has already been produced by her former display at that point; and I have also to request you will again detach the launch of the "Satellite" to proceed to Fort Langley with sufficient force, and instructions to the officer in charge of her to render all necessary assistance to the officer of the Customs at that place should he experience any opposition to the discharge of his duties.

In making this requisition, I am fully aware of the unusual and great temptations to desert to which those employed will be exposed; and of its being almost more than can be expected, that men, with no greater inducements than the ordinary remuneration of the service, can under such circumstances wholly resist the exciting and wonderful tales which are to be everywhere heard, I am therefore endeavouring to establish a fund to meet the necessary expenses of the Revenue

BRITISH
COLUMBIA.

service, and out of that fund I hope to be able to make an allowance of as much as one dollar per diem to every person belonging to the "Satellite" who may be actually and actively employed in boats in Fraser's River assisting in the discharge of the duties devolving upon the Revenue service.

I remain, &c.
(Signed) JAMES DOUGLAS.
Governor, Vancouver's Island.

COPY of a Letter from JAMES C. PREVOST, Esquire, Captain H.M.S. "Satellite," to Governor DOUGLAS, dated Esquimalt, Vancouver's Island, 14th June 1858.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of this date, and in reply thereto beg to inform you that I shall be ready to proceed to-morrow morning with Her Majesty's ship under my command to the entrance of Fraser's River; but before quitting this anchorage in the ship, and before detaching the launch to Fort Langley, I am anxious distinctly to understand your Excellency's wishes, and to be in such a position as to prevent as far as possible any illegality of action on the part of those under my command, I beg therefore most respectfully to request your Excellency will be pleased to inform me whether you are desirous that, while the "Satellite" is lying off the entrance of Fraser's River, I should cause foreign boats and vessels to be prevented from proceeding up the river, unless provided with a sufferance from the Custom House at Victoria; and in such case I would request you would furnish me with the requisite authority for so doing, so that I could act under it should circumstances render such a course advisable. I have also to request your Excellency will supply me with a copy of the Instructions given to the Revenue officers in Fraser's River, so that I may give clear and definite orders to the officers I may detach to assist the Revenue officers in the maintenance of the same.

I have, &c.
(Signed) JAMES C. PREVOST.
Captain H.M.S. "Satellite," and Junior Naval Officer
present at Vancouver's Island.

COPY of Letter from Governor DOUGLAS to JAMES C. PREVOST, Esquire, Captain H.M.S. "Satellite," dated Victoria, Vancouver's Island, 15th June 1858.

SIR,

IN reply to your letter of yesterday's date, referring to my letter of the same date, and requesting that before you leave Esquimalt for Fraser's River, and before the launch of the "Satellite" is detached to Fort Langley, you may be distinctly informed of my wishes, and be placed in such a position as to prevent any illegality of action on the part of those under your command, I have the honour to refer you to my letter of the 15th ultimo, transmitting to you a copy of the Proclamation which I issued on the 8th May 1858; and I have to request that you will hereby consider yourself duly and fully empowered to act to the best of your discretion and judgment to prevent any infringement of that Proclamation, and under such authority you will be justified in seizing and sending in for condemnation any foreign vessels that may be found in Fraser's River without proper papers and documents.

In reply to your further request, that you may be furnished with a copy of the Instructions given to the Revenue officers in Fraser's River, so that you may give clear and definite orders to the officers you may appoint to assist the Revenue officers in the maintenance of the laws, I beg to acquaint you that the Revenue officers are acting under the Revenue laws of the Empire, and under the law which secures to the Hudson's Bay Company the exclusive rights of trade, with reference to which they have no particular instructions, their course of action in following the requirements of the law being perfectly independent of me; but I have instructed them to carry out strictly the prohibitions of the before-mentioned Proclamation, and under that to seize all ships, boats, and vessels not being duly provided with a sufferance from the officer of Customs at Victoria, and a licence from the agent of the Hudson's Bay Company.

Canoes with miners, having only their mining tools, provisions, and necessary personal baggage, all being personal property, and not for purposes of trade, may be furnished with a pass and a licence receipt, obtainable at Fort Langley, upon the payment of the sum of five dollars for each of those documents.

I attach hereto copies of the forms of pass and licence receipt, and it would be a great benefit to Her Majesty's Service if you would be good enough to appoint some officer on board the "Satellite" to issue such documents in case of need, and to collect the sums due upon them. An allowance of five per cent. being granted by the Government in compensation for the trouble of so doing, and for furnishing a clear account of the passes and licences issued, and of the money received.

I have, &c.
(Signed) JAMES DOUGLAS.

FORM OF PASS.

1858.

The bearer of this is permitted to pass up Fraser's River in having the undermentioned provisions and tools on board, all declared to be personal property and for personal use.

(Seal.)

(Signature.)

COPY of LETTER from Governor DOUGLAS to Rear-Admiral BAYNES, Commander-in-Chief of Her Majesty's Forces in the Pacific, dated 12th May 1858.

BRITISH
COLUMBIA.

SIR,

I HAVE to acknowledge the receipt of your Despatch of the 27th of January last, informing of your appointment as Commander-in-Chief of Her Majesty's Naval Forces in the Pacific, and I received with much pleasure the assurance of your readiness and desire to attend to the suggestions I may from time to time have to make in furtherance of the Queen's Service.

I have very lately addressed a communication to the Right Honourable Secretary for the Colonies, directing his attention to the prodigious emigration of United States' citizens, and other foreigners, from California and Oregon, in consequence of the discovery of gold on Fraser's River within the British Possessions on this coast. * * *

To prevent the entrance of those people into the British territory is, perhaps, altogether impossible with any force that could be collected within a reasonable time; but what may be easily accomplished is,—to maintain the authority of the Government, to preserve the peace, to punish offences, and to enforce obedience to the laws, until Her Majesty's Government are in a position to take more decided steps for administering the Government of the country.

I therefore take the liberty of making application to you for a sufficient force to aid and assist in maintaining the Queen's authority, until further Instructions are received from England.

The "Satellite" and "Plumper" are both at present employed on this part of the coast, but being on special service I do not feel at liberty to tax them too severely for assistance, though I am convinced that both Captains Prevost and Richards will afford me every assistance in their power, but their means are limited.

I therefore think it highly necessary that the naval force in this quarter should be largely reinforced, especially as there is no limit to the possible amount of immigration into the Gold Region should the country prove productive; and I shall not be at all surprised if, in that case, there be an influx, in course of a few months, of twenty or thirty thousand people. I, as a matter of course, feel deeply anxious about the results which may arise in the altered circumstances of the country, and desirous of seeing such measures taken as may have the effect of protecting the interests of the British Crown.

I shall further address you from time to time as occasion may require.

With offers of our best service,

I have, &c.
(Signed) JAMES DOUGLAS,
Governor, Vancouver's Island.

No. 8.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. Lord STANLEY, M.P.

No. 8.

(No. 34.)

Victoria, Vancouver's Island, August 19, 1858.

(Received, October 11, 1858.)

MY LORD,

(Answered No. 30, October 16, 1858, page 69.)

I HEREWITH transmit copy of a letter which I have lately received by Her Majesty's ship "Calypso," under the command of Captain Montresor, from Rear-Admiral Baynes, in reply to my communication to him of the 12th of May last, of which a copy was transmitted with my Despatches to your Lordship, informing Admiral Baynes of the large immigration of foreigners into this country and Fraser's River, and urgently recommending that the naval forces employed on this coast should be increased, with the view of protecting life and property, and maintaining the supremacy of the laws.

2. I infer from Admiral Baynes's letter that he cannot furnish any additional force; neither does it appear from his letter that he entertains any hopes of being able to aid or assist in protecting the country; so that I am left to depend upon the casual aid received from the "Satellite" and "Plumper," whose excellent Commanders, Captains Prevost and Richards, have merited my warmest thanks for their cordial and zealous co-operation in all the protective measures adopted by this Government.

3. The settlements on the sea-board require no other protection than those ships can afford; but a force is wanted for the service of the interior, which can be spared neither from the "Satellite" nor "Plumper," both being here on special service, the latter on the coast survey, and the former for the objects of the Boundary Commission.

4. There are now about 10,000 foreign miners in Fraser's River, and upwards of 3,000 of that number are profitably engaged in gold mining.

I have appointed Sub-Commissioners to mark out the mining claims, and to receive the duty of 21s. a month payable on each claim. Those officers require support, and the miners demand protection, while I have not a single man to detach to either of their assistance.

5. The affairs of Government might be carried on smoothly with even a single company of infantry; but at present I must, under Providence, depend in a great measure on

BRITISH
COLUMBIA.

personal influence and management; a position inconsistent with the dignity of the Queen's Government.

6. I therefore trust that you will take our case into consideration, and direct such reinforcements to be sent to this country as Her Majesty's Government may deem necessary.

7. My opinion of the value and extent of the Gold Region has undergone no change for the worse since I addressed you on the 10th of June last, and there is every prospect, under proper management, that the country will produce a large revenue for the Crown.

8. We have commenced the work of improving the internal communications of the country, as referred to in the 17th paragraph of my Despatch* No. 31. of the 26th of July last, a party of 500 men being now engaged in opening a road into Upper Fraser's River by the valley of Harrison's River.

9. A stern wheel steam-vessel is now running to the upper extremity of Harrison's Lake, from whence we have commenced cutting a road through the forest on the left bank of Harrison's River and Lillooet Lake to connect Anderson's with Harrison's Lake, the total distance between those two points being about 80 miles of land carriage over a generally level country.

10. The men employed in that important enterprise are gold miners, composed of many nations, British subjects, Americans, French, Germans, Danes, Africans, and Chinese, who volunteered their services immediately on our wish to open a practicable route into the interior of the Fraser's River District being made known to the public. They, moreover, proffered their services on terms so peculiar in themselves, and so advantageous for the country, that it would have been unwise of me to decline them. Each man, for example, on being enrolled into the corps, paid into our hands the sum of 25 dollars, as security for good conduct. They receive no remuneration in the form of pay; the Government having merely to supply them with food while employed on the road, and to transport them free of expense to the commencement of the road on Harrison's Lake, where the money deposit of 25 dollars is to be repaid to them in provisions, at Victoria prices, when the road is finished. The cost of the work will therefore not be heavy, nor exceed our means of repayment out of the revenues of the Gold District.

11. The organization of the corps is simple, yet effective, it being divided into 20 companies of 25 men, and each company under the command of a Captain, who carries all orders into effect, reports to the Commander of the corps, and draws upon the Commissary for the weekly supplies of food.

An Engineer, with guides and Indians acquainted with the country, blazes the trees, and marks out the road, in advance of the main body.

12. I have lately received the most cheering accounts of the progress of the party, who were working assiduously, and had then cut through about 16 miles from the commencement of the road on Harrison's Lake, and will, I trust, carry it through with the same degree of spirit as they now exhibit.

* See
Appendix 1.

13. The accompanying Map* of the country will more clearly show the direction of the road, and its connexion with Fraser's River beyond the coast range of mountains.

14. That route will be of the greatest advantage to the country, and, when opened, will form the commercial highway into the interior districts, there being little probability of the existence of any other practicable route from the sea coast.

15. A direct route from the head of Jarvis's Inlet (see Map) to the Lillooet lake is supposed to exist, and will be explored as soon as the mass of business now on my hands, is disposed of.

The Right Honourable Lord Stanley, M.P., (Signed) I have, &c., JAMES DOUGLAS,
&c. &c. Governor.

Enclosure in
No. 8.

SIR,

Enclosure in No. 8.

I HAVE the honour of acknowledging the receipt of your Excellency's letter, dated the 12th of May last, respecting the emigration into Her Majesty's Possessions on the north-west coast of America of United States citizens and other foreigners from California and Oregon, in consequence of the discovery of gold on Fraser's River, a copy of which I forwarded to the Lords Commissioners of the Admiralty.

His Excellency
James Douglas, Esquire,
Governor of Vancouver's Island.

I have, &c.
(Signed) R. CAMP^L. BAYNES,
Rear-Admiral and Commander-in-Chief.

No. 9.

COPY of DESPATCH from GOVERNOR DOUGLAS to the Right Hon. Lord STANLEY, M.P.
(No. 35.)

BRITISH
COLUMBIA.
No. 9.

Victoria, Vancouver's Island, August 27, 1858.

(Received October 11, 1858, p. .)

MY LORD,

1. SINCE I last addressed you on the 19th instant,* an alarming report reached this place of the murder of 42 miners by the Indians of Fraser's River, and I, in consequence, made a requisition on Major Hawkins, Her Majesty's Commissioner for determining the land boundary, for an officer and ten men, and for an equal force respectively on Captain Prevost of Her Majesty's ship "Satellite" and Captain Montresor of Her Majesty's ship "Calypso," so as to form a force of 33 officers and men to proceed with me to the scene of the disaster.

* Page 27.

2. That alarming report has since been contradicted in a Despatch from Mr. Hicks, Her Majesty's Sub-Commissioner of Crown lands for the District of Fort Yale, who states that two men only were killed by the Indians, instead of the larger number previously reported. I am nevertheless preparing for an excursion to Fraser's River, with a small military force of 35 men, composed of 15 Sappers and Miners furnished by Major Hawkins, and Lieutenant Jones with 20 Marines, kindly furnished by Captain Prevost of Her Majesty's Ship "Satellite."

3. Major Hawkins has decided on accompanying me to Fraser's River, and will command the military force.

4. The object I have in view by undertaking that journey is the enforcement of such laws as may be found necessary for the maintenance of peace and good order among the motley population of foreigners now assembled in Fraser's River, and also practically to assert the rights of the Crown, by introducing the levying of a licence duty on persons digging for gold, in order to raise a revenue for the defence and protection of the country.

5. The military force is absurdly small for such an occasion, but I shall use every exertion in my power to accomplish the great object in view, and to assert the rights of my country, in hopes that early measures will be taken by Her Majesty's Government to relieve the country from its present perilous state.

I transmit for your information the requisition I made on Captain Montresor, and his reply thereto.

Enclosure 1.
Enclosure 2.

The Right Hon. Lord Stanley, M.P.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Enclosure 1 in No. 9.

SIR,

Victoria, Vancouver's Island, August 24, 1858.

INTELLIGENCE has just been received here of an alarming collision between white miners and the native Indian Tribes of Fraser's River.

A sanguinary war of races, the inevitable consequence of a prolonged state of misrule, may plunge the Government into the most serious difficulties, unless steps be immediately taken to avert the evil.

I therefore propose to visit that country as soon as the necessary arrangements can be completed.

A military force is essentially necessary on that occasion, to represent and sustain the dignity of the Queen's Government; and I make this appeal to you, sir, in Her Majesty's name, for a detachment of one officer and ten marines from Her Majesty's ship "Calypso," to be placed at my disposal for that service.

Captain Montresor, R.N.,
H.M. Ship "Calypso," Esquimalt.

I have, &c.
(Signed) JAMES DOUGLAS, Governor.

Enclosure 2 in No. 9.

SIR,

Her Majesty's Ship "Calypso," Esquimalt,
Vancouver's Island, August 24, 1858.

• IN reply to the requisition I had the honour to receive from your Excellency this afternoon, I beg leave to state that my orders from the Commander-in-Chief give me no discretionary powers, as to prolonging my stay at Vancouver, and that, owing to the "Satellite" not having arrived at Esquimalt for some days after the "Calypso," I have already exceeded the stay I originally intended to make.

Under these circumstances, I deem it my duty to proceed to sea to-morrow morning. I have, however, consulted Captain Prevost as to the number of marines that can be spared from the

BRITISH
COLUMBIA

"Satellite," and have recommended that an officer and 20 men should be placed at your disposal; and I have no doubt that on his receiving a similar requisition to that forwarded to, me Captain Prevost will consider it his duty to act as I have advised.

His Excellency James Douglas, Esq.,
Governor, Vancouver's Island,
&c. &c. &c.

I have, &c.
(Signed) F. B. MONTRESOR,
Captain Her Majesty's Ship
"Calypso," and senior officer
present at Vancouver's Island.

No. 10.

No. 10.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 37.)

Victoria, Vancouver's Island, August 30, 1858.

(Received October 11, 1858.)

(Answered, October 14, 1858, page 67.)

SIR,

Enclosure 1.
Enclosure 2.
Confidential.

I HEREWITH transmit, for the information of Her Majesty's Government, copy of the Instructions issued to the Assistant Gold Commissioner to be employed in Fraser's River, and also a Proclamation issued on the 25th instant, establishing Harbour Regulations, and for the regulation of boats and other small craft employed on the coasts of Vancouver's Island, which I trust may meet with the approval of Her Majesty's Government.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure 1 in
No. 10.

Enclosure 1 in No. 10.

INSTRUCTIONS TO ASSISTANT GOLD COMMISSIONERS.

1. You will on the first and following days of each month commence issuing licences in* your district, receiving payment for the same in money or gold dust. You will commence at the portion of the diggings which is most convenient, marking out at the time of giving the licence the boundaries of each party, on the following scale, namely:

On every river, twenty-five feet frontage to each person licensed.

On every creek and ravine, twenty-five feet to either side of the stream or ravine to each person licensed.

On table land or river flats, constituting dry diggings, twenty feet square to each person licensed.

Those allotments are to be marked consecutively, where practicable; and you will enter in a book, in the form annexed (B.), the descriptions of the localities allotted, with the names of the parties. You will append to such book a rough chart of the ground, giving names, for the convenience of reference, to the more prominent portions of the ground.

2. You will be furnished with blank licences; and requisitions are to be made by you on the Colonial Storekeeper for such further licences as may be necessary, care being taken that your demand is made sufficiently early to enable that officer to forward them to you by the time they are required. You will fill up and deliver the licences to the parties at the Gold Fields, entering their names, and receiving the prescribed fees; and you will make half-monthly payments direct to the territorial Treasurer in of the amount collected by you for licences, accompanied by statements in duplicate of the particulars. You will also make a return to me of the number of licences issued, and the amount received, as well as of the number remaining of the blank licence forms.

For any expense which you may be authorized to incur, accounts should be rendered to me as early as practicable, and if found correct I will prepare a warrant authorizing payment of them to be made to the parties or their agents.

In such cases as it may be deemed expedient to make payment for any supplies earlier than can be done in this way, an advance will be made to you for the purpose, with the understanding that it will be adjusted by a certain time, to be named in your application for it, specifying the general objects for which it is required, and that you will be held responsible for the amount, until this has been done by the passing of the accounts for the expenditure at the Audit Office.

3. You will at the same time forward to me the monthly abstracts of the salaries of your Establishment, including authorized accounts for rations.

4. You will in all respects carry out the General Regulations, of which copies are annexed, reporting any temporary deviations which circumstances may render inevitable. You will especially report upon the applications made to you by companies or individuals under the 3rd and 7th clauses of the Regulations of the 13th July 1858, that the necessary steps may be at once taken to carry out their objects.

5. You will be furnished with a chest, for the security of gold and money received by you, and it is desirable that in your temporary absence the same should be given to the care of the serjeant of your party. You will take care that the barracks or tents are not at any time left without a sufficient guard, and you will keep a sentry on the ground at all times, day and night.

6. You will settle all disputes between licensed occupiers of the Gold Fields, visiting the spot in dispute with as little delay as possible. It is most desirable that every dispute should be instantly investigated and settled, that disputants may not have the temptation to redress their grievances themselves.

7. You will keep copies of all correspondence and accounts, reporting to me the particulars of the gold received by you, and sent by escort to _____ or elsewhere.

8. You will keep me informed at all times with the particulars of the Gold Fields in your district, including the number of persons, the number licensed, and the general prospects of the place.

9. As soon as practicable you will divide your district into separate beats, assigning to each man a particular locality. By this means he will soon become acquainted with every person on his beat, and more readily detect unlicensed diggers.

Victoria, Vancouver's Island, July 1st, 1858.

(B.)

FORMS REFERRED TO IN PARAGRAPH 1.

Forks.				Names and Description.
No. 1.	-	-	-	Thomas James, Richard Doe, &c.
No. 2.	-	-	-	John Hinds, Robert Smith, &c.
No. 3.	-	-	-	William Trow, George Horin, &c,
No. 4.	-	-	-	&c. &c. &c.
Morman Bar.				
No. 1.	-	-	-	Thomas George, Robert Tom.
No. 2.	-	-	-	&c. &c. &c.
Great Falls.				
No. 1.	-	-	-	George Gray, Philip Jones.
No. 2.	-	-	-	&c. &c. &c.
Fountain.				
No. 1.	-	-	-	William Par, Thomas Quill.
No. 2.	-	-	-	George Robin, &c.

POLICE REGULATIONS.

Your Establishment will consist of six men; namely, a serjeant at one dollar and a half, and the remainder at one dollar per diem each, with rations (two shillings) and with clothing.

You will hold Courts of Petty Sessions at the place near to your head quarters, which may be proclaimed for that purpose on such days as shall be most convenient, giving sufficient publicity to the same.

You will carry out the general Police business of your district, taking especial care that drinking and gambling, and other disorders, are as much as possible put down. The serjeant of your party will also act as chief constable, and his duties will be those ordinarily belonging to such officers.

You will furnish me, monthly, with an account of the number of days on which Courts of Petty Sessions are held, and of the number of cases, and their result, distinguishing their several characters.

You will have the power of dismissing any of your party for drunkenness or other misconduct, reporting to me the circumstances.

Fort Langley, July 13, 1858.

GENERAL REGULATIONS FOR GOLD DISTRICT.

1. With reference to the Proclamation of his Excellency the Governor, bearing date the 28th day of December last, and to the notice from this office of the 30th of the same month, his Excellency directs it to be notified that the licences issued in accordance therewith, to dig, search for, and remove gold found in its natural place of deposit, will in future be limited in their operations to alluvial gold, whether consisting of dust, grain, scale, or lump gold, and will not extend to matrix gold, combined with quartz or any other rock remaining in its original bed or situation.

2. Previously to the working of any such matrix gold, notice must be given to and a written permission obtained from the Commissioner of the Gold District, who will require such security and make such arrangements for the protection of the public interests as he may deem necessary.

If the parties concerned fail to give the required notice or security, or to observe the conditions prescribed by that officer, all such matrix gold, and also all alluvial gold of every kind procured without due authority, will be seized as the property of the Crown, in whose possession soever it may be found, and the persons offending will render themselves liable to be prosecuted for the offence.

3. Persons desirous of working auriferous quartz veins may make application in writing to the Commissioner of the Gold District, accurately describing the locality. Such application shall be

BRITISH
COLUMBIA.

immediately recorded by such officer in a book to be kept for that purpose, which shall be open at all reasonable times for the inspection of applicants.

In case no previous application shall have been made as above directed, and should there be no valid objection to the proposal, the Commissioner shall notify to the applicant his acceptance of the same. The applicant shall then enter into a bond, binding himself and two or more sufficient sureties to the satisfaction of the Government, jointly and severally in the sum of two thousand pounds, to pay a royalty of ten per cent. on all gold obtained from any part of the land within the limits of his claim, to an officer to be appointed for that purpose by the Government. That rate will be computed on the actual produce, valued at 3*l.* 4*s.* per oz., if procured by separation only, and per oz. if by amalgamation.

He shall further be bound to permit such officer to reside on the land in the neighbourhood of the works, at such spot as may be assigned by the Commissioner, and also to give such officer access at all reasonable times to the buildings or premises, and to all books and accounts connected with the production of gold, also to give all necessary facilities for the collection of the royalty, daily or weekly, as may be found most desirable.

4. All buildings, machinery, or other improvements erected or made on the land shall be considered as additional security for the due performance of the conditions of the bond.

5. The above claim shall consist of half a mile of and in the course of the vein, with fifty yards reserved on each side of such vein for building and other purposes.

The right of cutting and using timber for building purposes or for fire-wood from adjacent Crown lands, as well as access to neighbouring water, shall also be conceded.

The duration of the claim shall be three years, which shall, however, be extended for such further period as upon receipt of instructions from Her Majesty's Government may be determined upon, having due regard to the interests of the party concerned. At the expiration of the term of their holding, or on the termination of their tenure sooner, by consent of the Government, the parties shall have liberty to remove all buildings, machinery, or other improvements erected or made by them, and a reasonable time shall be allowed for that purpose; provided always, that the conditions of the bond shall have been duly fulfilled.

6. A claim such as above shall be forfeited,—by the failure of the applicant to enter within a reasonable period into the required bond; by his neglecting to pay the prescribed royalty at the time and in the manner required by the bond; by his not employing at least twenty persons on such claim within six months of the acceptance of his application for the same; by his ceasing to employ that number of persons on the works for the period of one month thereafter; by obstructing the officer in the proper performance of his duty, or in any way violating the terms of the bond. Such vein shall then be open to selection by other parties.

7. Persons desirous of draining ponds or waterholes may make application in the mode above stated to the Commissioner or Assistant Commissioner of the Gold District, and shall be subject in all respects to the same regulations, with the exception that in the place of the payment of a royalty the applicants shall bind themselves to employ in each case the number of persons for whom the working of the claim would afford employment, as may be determined by the Government, on the report of the Commissioner, during the period of their occupation, and to take out a licence for every person so employed; and such claim shall be voided by the withdrawal of such number of persons from the work, unless in case of interruption by flood or other unforeseen accident.

8. The persons undertaking to drain any such pond or watercourse will not, however, be compelled to employ that number of persons during their occupancy, as required by this notice. It will be sufficient that during such occupancy they pay for licences for the full number of persons so fixed.

9. Where more than one application shall have been made for any pond or waterhole previously to the publication of these regulations, or shall hereafter be made on the same day, such pond or waterhole shall be put up to tender, the advance being on the existing rate of the licence fee; and it will be understood that such advance shall be paid on any number of persons employed, in addition to the number before determined.

10. Persons occupying portions of the Gold Field by erecting temporary buildings, tents, &c., and carrying on business in any way, shall pay a fee of thirty shillings monthly for the use of land so occupied by them, and they are required to pay the sum on demand, and in advance, to the officer appointed to receive payment of licence fees.

11. Persons desiring of establishing claims to new and unoccupied ground, by working in the ordinary method for alluvial gold, may have their claims marked out on the following scale, namely:—

1. Twenty-five feet frontage on rivers to each person.
2. Twenty-five feet of the bed of a creek or ravine to each person.
3. Twenty feet square of table land or river flats to each person.

Every such claim shall be voided by the failure on the part of the claimant to work the same within ten days after the date of his acceptance; and persons found working on such or any other ground, without having previously paid the licence fee to the proper officer, shall pay double the amount for such licence, and in default be proceeded against in the usual manner.

The Commissioner or Assistant Commissioner is empowered to make such temporary regulations as may be necessary to prevent inconvenience to other licensed persons from the carrying on operations of the above nature.

By His Excellency's Command.

Issued at Fort Langley, this 13th day of July 1858.

Government House, Victoria, December 30, 1858.

BRITISH
COLUMBIA.
—

WITH reference to the Proclamation issued on the 28th of December, declaring the rights of the Crown in respect to gold found in its natural place of deposit within the Districts of Fraser's River and of Thompson's River commonly known as the Quaatlan, Couteau, and Shuswap countries,—

His Excellency the Governor has been pleased to establish the following provisional regulations under which licences may be obtained to dig, search for, and remove the same:—

- 1st.—From and after the 1st day of February next, no person will be permitted to dig, search for, or remove gold on or from any lands, public or private, without first taking out and paying for a licence in the form annexed.
- 2d.—For the present, and pending further proof of the extent and productiveness of the gold deposits, the licence fee has been fixed at twenty-one shillings per month, to be paid in advance; but it is to be understood that the rate is subject to future adjustment, as circumstances may render it expedient.
- 3d.—The licences can be obtained at Victoria, Vancouver's Island, until a Commissioner is appointed by His Excellency the Governor to carry those regulations into effect, and who will be authorized to receive the fee payable thereon.
- 4th.—Rules adjusting the extent and position of land to be covered by each licence, and for the prevention of confusion, and the interference of one licensed with another, will be regulated by the said Commissioner.

FORM OF GOLD LICENCE.

No. _____, 185 .
The bearer _____, having paid to me the sum of twenty-one shillings on account of the territorial Revenue, I hereby license him to dig, search for, and remove gold on and from any such Crown land within the _____ of _____ as I shall assign to him for that purpose, during the month of _____ 185 . This licence must be produced whenever demanded by me, or any person acting under the authority of the Government.
(Signed) A.B., Commissioner.

Enclosure 2 in No. 10.

Enclosure 2 in
No. 10.

PROCLAMATION

By His Excellency JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies.

WHEREAS by law all mines of gold, and all gold in its natural place of deposit within the Districts of Fraser's River and of Thompson's River commonly known as the Quaatlan, Couteau, and Shuswap countries, whether on the lands of the Queen or any of Her Majesty's subjects, belong to the Crown:

And whereas information has been received by the Government that gold exists upon and in the soil of the said Districts, and that certain persons have commenced or are about to commence searching and digging for the same for their own use, without leave or other authority from Her Majesty:

Now I, James Douglas, the Governor aforesaid, in behalf of Her Majesty, do hereby publicly notify and declare, that all persons who shall take from any lands within the said Districts any gold, metal, or ore containing gold, or who shall dig for and disturb the soil in search of gold, metal, or ore, without having been duly authorized in that behalf by Her Majesty's Colonial Government, will be prosecuted, both criminally and civilly, as the law allows.

And I further notify and declare, that such regulations as may be found expedient will be prepared and published, setting forth the terms on which licences will be issued for this purpose, on the payment of a reasonable fee.

Given under my hand and seal, at the Government Office, Victoria, this twenty-eighth day of December in the year of our Lord One thousand eight hundred and fifty-seven, and in the twenty-first year of Her Majesty's reign.

God save the Queen.

No. 11.

No. 11.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir. E. B. LYTTON, Bart.

(No. 39.)

Fort Hope, Fraser's River, September 9, 1858.

(Received Nov. 29th, 1858).

SIR,

I HAVE to acknowledge the receipt of your Despatch (confidential) of the 1st of July last*, and observe with feelings of indescribable satisfaction that Her Majesty's Government approve of the measures which I conceived it necessary to resort to, in order to assert the dominion of the Crown over the Gold Districts of Fraser's River, and the rights of the Crown over the precious metals.

E

Page 41.

2. The measures subsequently taken with the view of introducing public order and government into the Gold Regions, and reported to you in my later communication, being part of the same general system, will, therefore, I feel assured, also meet with the support of Her Majesty's Government.

3. The latter, like the initiatory measures, were introduced under the pressure of necessity, without adequate means, and, therefore, necessarily imperfect; but in adopting them we had solely the great object in view of protecting British interests, and developing the resources of the Gold Regions.

4. It was necessary for that purpose that we should maintain a proper control over the mixed multitude that have literally forced an entrance into the British Possessions; that Americans and other foreigners should, on certain conditions, be admitted into the Gold Regions; that stocks of food should be thrown into those districts; that, for want of British Ships, foreign vessels should, as a temporary arrangement, be allowed, under a sufferance, renewable at the close of each voyage, to navigate the inland waters of Fraser's River, for the purpose of supplying the miners with food and clothing; that roads should be opened, to render the Gold Districts accessible to the miner and to the merchant; that Courts of Law should be established, and officers appointed for the administration of justice, the punishment of offences, and the protection of life and property; and that the powerful native Indian Tribes who inhabit the Gold Regions should be at once conciliated and placed under proper restraint.

5. All this I have attempted to do, and I trust that Her Majesty's Government will see in those attempts only a profound desire on my part to promote the interests of the Empire, without any admixture of other motives.

6. I have duly weighed the important communications made in your Despatch respecting the views of Her Majesty's Government on this country, and I will use every means in my power to carry them fully into effect.

7. I understand from those Instructions, that you do not deem it advisable to compel the miners to take out mining licences for the present, and that no obstacle whatever is to be opposed to their resort to Fraser's River; that the national right to navigate Fraser's River is a question which Her Majesty's Government deems it proper to reserve; and that you enjoin caution and delicacy in dealing with those manifest cases of international relationship and feeling which are certain to arise, and which, but for the exercise of temper and discretion, may easily lead to serious complications between two neighbouring and powerful States; and that, finally, I am directed to exercise whatever influence and power I may possess in the manner best calculated to give development to the country and to advance Imperial interests.

8. I have to inform Her Majesty's Government, that, as a general rule, the taking out of licences by the miners of Fraser's River has not yet been enforced, except to the extent of levying on each miner leaving Victoria for the Gold Diggings the sum of five dollars for one month's mining licence in advance.

9. The object of that payment was to assert the rights of the Crown, and at the same time to form a fund to meet the current expenses of the Government; and my reason for not sooner enforcing the taking out of licences was the fact that I have no direct authority from Her Majesty's Government to impose taxes in the Fraser's River District, as my Commissions from the Crown extend only to the Colony of Vancouver's Island and to Queen Charlotte's Island; and I, moreover, felt satisfied of the inability of the miners to pay the tax during the high stage of Fraser's River, when the auriferous bars were inundated, and the miners consequently lying idle and entirely out of employment.

10. The river is now falling rapidly, and the miners in many places are doing well, and are able to bear the tax, though, as a general rule, the great body of the mining population are still unemployed, or barely making money enough to pay for their living. We shall, therefore, in consequence of your recommendation, grant them a further respite until their mining claims become more productive, and they can afford to pay the regular licence duty for digging gold.

11. As there is, however, no other means open to me of raising a revenue for defraying the expense of the officers and police employed on Fraser's River, and of opening roads and other necessary expenses connected with that country, and being, moreover, exceedingly anxious to avoid drawing on the Imperial Treasury, and to make the country bear, as much as possible, its own burdens, I established a regulation, before my departure from Vancouver's Island, with the consent of the agents of the Hudson's Bay Company, authorizing the importation of foreign goods of all kinds into Fraser's River, at an ad valorem duty of 10 per cent., to be levied at Victoria, the proceeds of which

are to be exclusively applied to the service of Her Majesty's Government, and to meet the expenses of governing Fraser's River.

This course appears in all respects advisable, the duty being a fair and equitable tax, easily collected, and bearing equally on the consumers. I therefore trust it will meet with the approval of Her Majesty's Government.

12. I have to observe, for the information of Her Majesty's Government, that all foreigners, and especially American citizens, who have visited Fraser's River since the commencement of the gold excitement, have been treated with kindness, and protected by the laws. The rights of the Crown, as well as the trading rights secured by statute to the Hudson's Bay Company, have been broadly asserted in my several Proclamations, with the object of maintaining British supremacy, by establishing a moral control over the masses of foreigners, who, under the false impression that the country was free, and open to all nations, and that we had no military force at our disposal, were rushing defiantly and without ceremony into Her Majesty's Possessions; and we succeeded by that means in securing respect and obedience to the law, at a time when a policy of concession would have been mistaken for weakness, and have proved injurious to British interests.

13. I may also remark, that the wants of the mining population in Fraser's River have been abundantly supplied, both in respect of food and the other necessaries of life, as the miners were allowed to carry with them from Victoria an unlimited supply of food, mining tools, and clothing, even to the extent of a six months' stock, for their personal use, so that they are not under the necessity of making purchases from the stores of the Hudson's Bay Company, though they frequently do so, in consequence of getting a better quality of goods at a lower price than can be procured from other parties. In short, I think I may venture to assert that the miners, as a body, are satisfied with the kindness they have received from the authorities since their arrival in the British Territory.

14. Being now engaged in visiting the various districts of Fraser's River, with the intention of reporting to you on their present state and condition, and being exceedingly busy with various matters of detail, I will bring my present Despatch to a close, after informing you that the mining population in this quarter continue quiet, orderly, and submissive to the laws.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 12.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON.
Bart.

(No. 40.)

Victoria, Vancouver's Island, September 29, 1858.

(Received November 29, 1858.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 1st of July*, marked "confidential," transmitting copy of a letter addressed to the Department over which you preside, by the Lords Commissioners of the Admiralty, informing you of the steps they proposed to take in consequence of the Gold Discoveries in Fraser's River; and you are pleased to add, for my particular information, that the officers commanding Her Majesty's Ships at Vancouver's Island would be directed to give me the fullest support, should the civil power require a force to maintain order among the adventurers resorting to the Gold Fields.

You also recommend caution in employing such force, on account of the obvious danger of the desertion of the men.

I have on this occasion to assure Her Majesty's Government that the considerable powers so placed in my hands will not be misapplied, nor rendered subservient to the promotion of any interests other than those which with unbounded confidence they have intrusted to my charge.

Though so long and intimately connected with the Hudson's Bay Company, I have uniformly striven, during my administration of the Government of Vancouver's Island, to dispense equal justice to all its inhabitants, and to avoid even the suspicion, so allowable in the circumstances, of undue influence being used on my part in favouring the objects of the Hudson's Bay Company. I was cautious even about enforcing the laws in respect to the rights of that association, which has in fact exercised no right

BRITISH
COLUMBIA.

nor enjoyed any privilege of trade or otherwise in this Colony that was not equally shared by every freeholder in the country.

Her Majesty's Government may also rely upon a proper and discreet use being made of the military and naval force at my disposal, and that it will not be called into action except in cases of extreme necessity; and also that all claims and interests will be rendered subordinate to the great object of peopling and opening up the new country, and consolidating it as an integral part of the British Empire.

I have given full consideration to your suggestion of inducing by conciliatory advances such of the American immigrants as appear to be respectable, and to possess influence with their fellow countrymen, to co-operate with me in preserving order; and I shall gladly avail myself of such aid, should it be at any time attainable.

I beg further to remark, that I feel under great obligations to Captain Prevost of Her Majesty's Ship "Satellite," and to Captain Richards, commanding the "Plumper," for their cordial and unflinching support in every emergency; and you will confer a great favour by causing this testimony of their zeal to be communicated to the Lords Commissioners of the Admiralty.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 13.

No. 13. COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 42.)

Victoria, Vancouver's Island, September 30, 1858.

(Received November 29, 1858.)

SIR,

Page 42.

1. I have the honour to acknowledge the receipt of your Despatch No. 4*, of the 16th of July.

2. In the midst of the varied cares and anxieties that press upon me in the present conjuncture, it is no small consolation to learn from your Despatch that Her Majesty's Government feel assured of my zeal in the public service, and offer their firm support, in the performance of the arduous duties consequent on my present position; and I beg leave to say that I feel the value of that support, and deeply grateful for the confidence reposed in me.

3. I observe with satisfaction that Her Majesty's Government were engaged in conducting through Parliament a measure for the establishment of regular Government in the Gold Country, and were devising means for affording me the support of a military force.

4. I have perused your remarks, defining the extent of the powers conferred on the Governor of Vancouver's Island by the Royal Commission, and observe that you approve of the appointment of a revenue officer, to prevent the landing of prohibited articles in Fraser's River, and instruct me to maintain the principle, that the navigation of Fraser's River itself, above the mouth, is open to British vessels only, and that American or other foreign vessels, if admitted to navigate that river, should be required to take out a licence, your instructions on those points being in strict accordance with our present regulations.

5. I observe also from your Despatch, that the rights of trade made over to the Hudson's Bay Company are limited to the trade with the Indian tribes.

We have always hitherto given a more extended application to those rights, believing, from the circumstance of the country being inhabited by Indians alone, and from its not being open for settlement to white men, that the intention of Parliament in granting the licence was to make over the whole trade of the country to the Hudson's Bay Company.

6. That construction of the rights of the Hudson's Bay Company was strengthened by the following passage in his Grace of Newcastle's Despatch, No. 12, of the 22nd of October 1853, on which the proclamation issued on the 8th of May last was based.

"With regard to the third subject, the traffic of the Americans with the Indians, you are of course aware that the Hudson's Bay Company are legally entitled to this trade, to the exclusion of all other persons, whether British or foreign. You are, therefore, clearly at liberty to take such steps as may have the effect of punishing persons who infringe their rights. But I am of opinion that it would be prudent previously to issue a Proclamation, warning all persons against the consequences of such an infringement of the Hudson's Bay Company's rights, and also apprising foreigners that they are precluded from fishing within three miles of the shore."

7. We shall, however, in future, act upon your instructions, abrogating and amending without delay all existing regulations repugnant thereto. The Proclamation of the 8th of May was in fact virtually abrogated by later regulations, permitting, in the first place, the entrance of boats and vessels, under sufferance, and afterwards allowing the importation of all kinds of goods into Fraser's River, on the payment of an ad valorem duty on the goods of 10 per cent., as mentioned in the 11th paragraph of my Despatch No. 39*, of the 9th of September.

Page 33.

8. The object of that Proclamation, which, from the pressure of business, my Despatches have but imperfectly explained to Her Majesty's Government, was not solely to protect the interests of the Hudson's Bay Company, for in the circumstances of the country that was a simple impossibility, but I sought to establish thereby a legal control over the multitude of foreigners who were entering the country, and who, notwithstanding our precautions to the contrary, have been with difficulty restrained from taking possession of and occupying as squatters all the valuable land on Fraser's River. I felt that a step of that kind could not be legally carried into effect in my position as Governor of Vancouver's Island; but while holding that position, and representing, at the same time, the Hudson's Bay Company, I fancied that important public measure would violate no law, and therefore, from its evident necessity, meet with your approval and support.

9. The arrangement with the Pacific Mail Steam Ship Company, of which you disapprove, was never carried into effect; but the other foreign vessels employed on Fraser's River were likewise bound by the same conditions offered to that company. Those regulations have by subsequent changes fallen into disuse, inasmuch as they are connected with the privileges or tend to promote the interests of the Hudson's Bay Company.

10. We shall forthwith discontinue the regulation requiring the prepayment of mining licences and head money on persons going to Fraser's River, in consequence of your instructions to that effect, and in all other respects we shall conform strictly to the instructions contained in your Despatch.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 14.

No. 14.

COPY of DESPATCH from GOVERNOR DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 43.)

Victoria, Vancouver's Island, October 11, 1858,

SIR, (Received Nov. 29th, 1858.)

Page 44.

1. I have the honour to acknowledge the receipt of your Despatch, No. 6*, of the 31st of July last, communicating the views which you entertain upon various topics of importance bearing upon the present situation of affairs and the establishment of a regular Government in British Columbia.

2. Though I regret that the pressure of public business, the want of efficient aid, and irregular mail facilities, have prevented me from communicating so fully with you as the position of affairs required, it is very gratifying to my feelings to discover, from the communication of those views in your Despatch, that the measures which have been adopted with the view of raising a revenue for defraying the expenses of Government in that country coincide so closely as they do with those recommended in your Despatch.

3. In consequence of the unexpected force of the immigration from the United States, and the pressure of the masses, we were compelled in the emergency, by a stern necessity, either to take the initiative, and to give a direction to the masses, or to submit to their dictation as to the measures which the Government had to pursue.

4. For that reason I had to act in many cases without delay, and without distinct legal authority, except that discretionary power derived from my Commission as Governor of Vancouver's Island, which I believe applies to all cases affecting the public interests not provided for in Her Majesty's Instructions.

5. In asserting the dominion of the Crown over the Gold Region, and the rights of the Crown over the precious metals, I felt that I was acting clearly according to constitutional law and usage; but I did not feel equally certain about the expediency or the power of enforcing those rights, by levying the licence duty on miners, in a remote and almost inaccessible country.

6. Being in urgent want of money to meet the unavoidably increasing expenditure of Government, consequent on the influx of people, I conceived it would be only proper to make them bear the cost of that expenditure, and that circumstance suggested the idea of levying a month's licence in advance on every person entering Fraser's River, with the condition, however, that the certificate of such payment would be received in compensation of the first month's mining on the claim assigned to the party holding it in Fraser's River; a measure which was immediately carried into effect, with the satisfactory results of creating a fund to meet our immediate expenses, and securing the support of a large body of miners, who, having paid the Crown dues, insisted that any such person as had evaded that payment should either comply with the Government regulation, or relinquish their mining claims, thus lending a prodigious moral power to the Government while enforcing the mining duty.

7. I have, however, from the first doubted the expediency of levying the duty on mining licences, which will always be an unpopular tax, besides being arduous and expensive to levy in a country so extensive and difficult of access as Fraser's River. I therefore much prefer to that tax the adoption of the views entertained in your Despatch, as a means of raising a revenue; that is, levying moderate duties on beer, wine and spirits, and other articles subject to taxation, this being in fact continuing the import duty of 10 per cent. ad valorem, at present levied on all goods imported into British Columbia.

8. The disposal of public lands and also of town lots, as suggested in your Despatch, will, I think, prove a prolific source of revenue, besides having the effect of opening the country for permanent settlement. In my late excursion to Fraser's River, of which I will soon forward an account, the most urgent appeals were made to me by intending settlers, on the prospect of approaching winter, for the purchase of town lots at Fort Yale and Fort Hope; but having no legal authority to make sales of land, or to grant sufficient titles, I could only meet their wishes by giving leases of the desired lots, at a monthly rent of 41 shillings, to be continued, with a pre-emption right to the holder, until the land is finally sold.

9. Since the arrival of your Despatch, I have sent Mr. Pemberton, the Surveyor-General, to lay out three several town sites on Fraser's River, namely, at

Old Fort Langley,
Fort Hope,
Fort Yale,

there being a demand at each of those places for town lots, in consequence of their position at important trading points of the River, which gives them a peculiar value in the estimation of the public.

10. The Surveyor has advertised a public sale at this place of town lots 64 × 120 feet, in extent at old Fort Langley, for the 20th of this month, October, the upset price to be 100 dollars for each lot of that size, and not to be sold for less than the upset price. Though this is not a propitious time for the disposal of town lots, it is expected that the Government will realize a considerable sum from that sale.

11. We also look forward to raising a considerable sum through the duty on licensed ale and beer houses, and also on trading licences, should it be considered judicious to continue such taxes.

12. I am anxious to save the present mail, and will therefore leave the subject of revenue until I can prepare a digested report on the subject, and have an opportunity of ascertaining, as you again have suggested, the sense of the immigrants upon so important a matter.

13. I will not fail to keep steadily in view the fact, that the Imperial Parliament will expect that British Columbia shall be self-supporting as soon as possible, and that it is the desire of the Mother Country that Representative Institutions and self-government should prevail in that Colony, as soon as the material for those institutions are shown to exist, and to that object we shall, as you recommend, aim and shape all our policy.

14. I observe also your intention of despatching a party of Royal Engineers for British Columbia, and the particular objects for which that force is to be despatched. The manner in which it is the wish of Her Majesty's Government that force should be employed, and the Government of British Columbia be carried on, are important subjects, to which I will give all the consideration which their vast importance requires.

15. I also observe your intention of sending out an experienced Inspector of Police, to assist in the formation of a police force, and I am convinced that he will be of great service to the Government, though we have already organized a force of that description, and also sworn in a number of special police, consisting of the inhabitants of Fort Yale, to be employed on emergencies in keeping the peace.

16. I shall not fail to give the fullest scope to your humane consideration for the improvement of the native Indian tribes, and shall take care that all their civil and agrarian rights be protected. I have in fact already taken measures, as far as possible, to prevent collisions between those tribes and the whites, and have impressed upon the miners the great fact that the law will protect the Indian equally with the white man, and regard him in all respects as a fellow subject. That principle being admitted will go far towards the well-being of the Indian tribes, and securing the peace of the country.

17. I shall also by every means in my power endeavour to secure the confidence of the inhabitants of British Columbia, and to attach them by the ties of interest to the existing Government.

18. I regret that time does not permit me to report to you more fully on this occasion, as the mail steamer has just arrived from Puget's Sound, and will leave at an early hour to-morrow; but Her Majesty's Government may rest assured that the Instructions I have received will be fully carried into effect, and that all our measures will be framed upon those Instructions.

I have, &c.

(Signed) JAMES DOUGLAS,

Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

Despatches from the Right Hon. Sir E. B. Lytton, Bart.

BRITISH
COLUMBIA.

No. 1.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(Confidential.)

SIR,

Downing Street, July 1, 1858.

IN transmitting you the copy of a letter addressed to this Department by order of the Lords Commissioners of the Admiralty, to inform me of the steps they propose to take in consequence of the gold discoveries on Fraser's River, I wish to add, for your particular information, that I have ascertained, by communication with the Admiralty, that the officers commanding Her Majesty's Vessels at Vancouver's Island will be directed to give you all the support in their power, and to render their crews, and more especially the Marines, serviceable, as far as circumstances will allow, if the Civil Government should require a force to maintain order among the adventurers resorting to the Gold Fields. But it will be necessary to be very cautious in employing them, on account of the obvious danger of desertion.

Enclosure.

Her Majesty's Government, feeling the difficulties and the critical nature of your present circumstances, have not hesitated to place these considerable powers in your hands; but they rely upon your forbearance, judgment, and conciliation to avoid all resort to military or naval force which may lead to conflict and loss of life, except under the pressure of extreme necessity. Still less need I impress upon you the importance of avoiding any act which directly or indirectly might be construed into an application of Imperial resources to the objects of the Hudson's Bay Company, in whose service you have so long been engaged. Even the suspicion of this, however unfounded, would be eminently prejudicial to the establishment of Civil Government in the country lying near the Fraser's River, and would multiply existing difficulties and dangers. All claims and interests must be subordinated to that policy which is to be found in the peopling and opening up of the new country, with the intention of consolidating it as an integral and important part of the British Empire.

It is possible that by personal influence and conciliatory communications with such of the leading men amongst the American immigrants as appear to be of good intention or respectable bearing, you might induce them to co-operate with you in preserving order amongst their countrymen, and to lay aside any feeling of prejudice or mistrust with which they may have entered the territory.

Governor Douglas,
&c. &c.I have, &c.
(Signed) E. B. LYTTON.

Enclosure in No. 1.

SIR,

Admiralty, June 28, 1858.

I HAVE received, and laid before my Lords Commissioners of the Admiralty, your letter of the 26th instant, with its enclosure, from the Governor of Vancouver's Island, relative to a steam vessel being stationed for the present at that island, to protect British interests, in consequence of the number of persons resorting to the recently-discovered Gold Fields in Her Majesty's Dominions in North-western America in the neighbourhood of Fraser's River.

My Lords desire me to state, for the information of Secretary Sir E. Bulwer Lytton, that orders will be sent to Rear-Admiral Baynes, the Commander-in-Chief of Her Majesty's ships on the Pacific Station, either himself to proceed to Vancouver's Island, or to select some senior officer to send thither, for the purpose of ascertaining whether the naval force already stationed there is sufficient for the support of the civil authority and the protection of British interests; and should the force not be considered sufficient, the Rear-Admiral will be instructed to send such addition as he may deem to be necessary.

Herman Merivale, Esq.,
&c. &c.
Colonial Office.I am, &c.
(Signed) H. CORRY.Enclosure in
No. 1.

BRITISH
COLUMBIA.

No. 2.

No. 2.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTON, Bart., to Governor
DOUGLAS.

(No. 4.)

SIR,

Downing Street, July 16, 1858.

* Vide page 11.

I HAVE to acknowledge your Despatch, No. 23. of the 19th May last,* enclosing a Proclamation which you had issued on the subject of boats and vessels entering Fraser's River for trade, and reporting further on the state of the Couteau Gold Diggings.

The accounts which have reached Her Majesty's Government from other quarters as well as your own afford abundant evidence of the critical nature of the circumstances in which you are placed. They have much satisfaction in reflecting that the maintenance of public order and of the rights of the Crown in that quarter is placed in the hands of an officer so vigilant, and so well acquainted with the country and the people as yourself; and you may rely on their support in the performance of this arduous duty, under the very peculiar difficulties of your position.

They are now engaged in conducting through Parliament a measure for the purpose of giving the sanction of law to the steps which the Crown will be advised to take for the establishment of regular government, and protection both of the immigrants and the natives, as far as practicable; and they are also devising the means for affording you the support of a military force, as soon as this can be effected.

In the meantime I must lay down a few rules for your guidance in the administration of the authority which has thus devolved on you.

In strict law, your Commission extends to Vancouver's Island only; but you are authorized, under the necessity of the case, to take such measures, not inconsistent with the general rights of British subjects and others within Her Majesty's Dominions, as that necessity may justify.

I approve, therefore, of your having detached an officer of the Customs from Vancouver's Island (if the intention announced in your Despatch was carried into execution), for the purpose of preventing the landing in Fraser's River of articles prohibited under the Customs' laws to which you refer.

Subject to this restriction, Her Majesty's Government wish no obstacle to be interposed to the disembarkation of passengers and goods at the mouth of Fraser's River by foreign vessels.

But it is necessary to maintain the principle, that the navigation of Fraser's River itself above the mouth is open in law to British vessels only. American or other foreign vessels, therefore, if admitted to navigate that River (to which it is the desire of Her Majesty's Government that no unnecessary obstacles should be interposed), should be required to take a licence from yourself or such officer as you may delegate for the purpose.

But I must distinctly warn you against using the powers hereby intrusted to you in maintenance of the interests of the Hudson's Bay Company in the territory.

The Company is entitled, under its existing licence, to the exclusive trade with the Indians, and possesses no other right or privilege whatever.

It is, therefore, contrary to law, and equally contrary to the distinct instructions which I have to convey to you, to exclude any class of persons from the territory, or to prevent any importation of goods into it, on the ground of apprehended interference with this monopoly,—still more to make any Governmental regulations subservient to the Revenues or interests of the Company.

I am compelled, therefore, to disapprove, and to disallow if still in force, the Proclamation of which your Despatch transmitted a copy. To fit out boats and vessels to enter Fraser's River for trade is no "infringement of the rights of the Hudson's Bay Company," as that Proclamation terms it. Such infringement only commences when any trading with the Indians is attempted; and no steps can rightfully be taken to put a stop to legal acts of this description, on the ground that they may be intended for ulterior purposes, infringing on private rights. For the same reason, to require a "licence from the Hudson's Bay Company" of persons landing in the territory is altogether unjustifiable.

I am obliged, for the same reason, to disapprove of the terms which you have proposed to the Pacific Mail Company. They ought not to be put under terms to "carry the Company's goods, and no other;" nor ought they to be prevented from carrying persons not furnished with a gold miner's licence. Such licence can properly be required of intending diggers on the ground, but not of persons merely seeking to land on

the territory. Still less have the Hudson's Bay Company any right whatever to exact from passengers any fee or head money, by way, as you term it, of "compensation."

Should, therefore, the Pacific Mail Company have assented to these terms, I must nevertheless require their being altered according to the tenor of these instructions for the future.

I am fully aware that before this Despatch can reach you the state of things may have materially altered, and that some of these directions may have become inapplicable. Even in that case, however, they will serve as an indication of the general policy which it is the intention of Her Majesty's Government to pursue, and their wish that you should execute, in this emergency. I hope by the next mail to be able to add to these directions.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 3.

No. 3.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
(Confidential.) DOUGLAS.

SIR, Downing Street, July 16, 1858.

My public Despatch of this date will have shown you the high value which Her Majesty's Government attach to your services, and at the same time will guard you against some of the errors into which you may be led by your position as an Agent of the Hudson's Bay Company, while at the same time an officer of Her Majesty's Government.

I wish to inform you, confidentially, in addition, that a Bill is in progress through Parliament to get rid of certain legal obstacles which interpose to prevent the Crown from constituting a Government suited to the exigencies of so peculiar a case, over the territory now resorted to, according to report, by the multitudes whom the gold diggings on Fraser's River have attracted.

It is proposed to appoint a Governor, with a salary of at least 1,000*l.* per annum, to be paid for the present out of a Parliamentary vote. And it is the desire of Her Majesty's Government to appoint you at once to that office, on the usual terms of a Governor's appointment; namely, for six years at least, your administration of that office continuing to merit the approval of Her Majesty's Government; this Government to be held, for the present, in conjunction with your separate Commission as Governor of Vancouver's Island.

With regard to the latter, I am not at this moment able to specify the terms as to salary on which it may ultimately be held, but your just interests would, of course, not be overlooked.

The legal connexion of the Hudson's Bay Company with Vancouver's Island will shortly be severed by the resumption by the Crown of the grant of the soil. And their legal rights on the continent opposite terminates in May next, at all events, by the expiry of Her licence, if Her Majesty should not be advised to terminate it sooner on the establishment of the new Colony.

It is absolutely necessary, in their view, that the administration of the Government, both of Vancouver's Island and of the main land opposite, should be intrusted to an officer or officers entirely unconnected with the Company.

I wish, therefore, for your distinct statement, as early as you can afford it, whether you are willing, on receiving the appointment which is thus offered you, to give up, within as short a time as may be practicable, all connexion which you may have with that Company, either as its servant, or a shareholder, or in any other capacity.

I make this proposal without discussing at present the nature and extent of your actual connexions with that Company, but with the acquiescence of the Governor of the company, who has seen this Despatch.

In the meantime, and awaiting your answer, it is my present intention (liable only to be altered by what may transpire in future advices from yourself) to issue a Commission to you as Governor; but you will fully understand that unless you are prepared to assure me that all connexion between yourself and the Company is terminated, or in course of speedy termination, you will be relieved by the appointment of a successor.

BRITISH
COLUMBIA.

I make this proposal briefly, and without unnecessary preface, being fully assured that you will understand, on the one hand, that Her Majesty's Government are very anxious to secure your services, if practicable, but, on the other, that it is quite impossible that you should continue to serve at once the Crown and the Company, when their respective rights and interests may possibly diverge, and when at all events public opinion will not allow of such a connexion.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 4.

No. 4.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 5.)

SIR,

Downing Street, July 30, 1858.

I HAVE to inform you that Her Majesty's Government propose sending to British Columbia, by the earliest opportunity, an officer of Royal Engineers (probably a Field Officer with two or three subalterns), and a company of Sappers and Miners, made up to 150 men, non-commissioned officers and men.

I must trust to you to make such arrangements in the Colony for the reception of this party as you may deem necessary and suitable.

I shall provide the officer in command with general instructions for his guidance, of which you shall have a copy.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 5.

No. 5.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(Confidential.)

SIR,

Downing Street, July 31, 1858.

As it is a matter of considerable importance, both to Her Majesty's Government and yourself, that there should be a perfect understanding as to the terms on which, if you should so decide, you would assume office under Imperial authority;

I think it right to state, as it was omitted on the last occasion, that besides relinquishing, directly or indirectly, all connexion with the Hudson's Bay Company, it will be indispensable to apply that condition equally to any interest you may possess in the Puget Sound Company.

It is most probable that you have understood the offer contained in my Confidential Despatch of the 16th instant in that sense; but I think it better now to guard against any possible misconception on the subject by this additional explanation.

It is due to you to add, that if, after reflection, you should entertain the persuasion that it will either not conduce to the public interests or your own to exchange your present position for that of Governor of British Columbia, the ability you have displayed whilst holding the office of Governor of Vancouver's Island will not escape the recollection of Her Majesty's Government, should it be your wish, on the expiration of the Hudson's Bay Company's licence next year, to enter into the service of the Crown in the Colonies.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 6.

No. 6.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 6.)

SIR,

Downing Street, July 31, 1858.

THOUGH I expect shortly to have the honour of transmitting to you an Act passed by the Imperial Parliament, authorizing the establishment of a regular Government in the territory west of the Rocky Mountains, I will not lose the opportunity of this mail to

communicate to you the views which I entertain, for I am scarcely in a condition to furnish you with positive instructions upon certain topics of importance which bear upon your present situation.

1. I need hardly observe, that British Columbia, for by that name the Queen has been graciously pleased that the country should be known, stands on a very different footing from many of our early Colonial Settlements. They possessed the chief elements of success in lands, which afforded safe though not very immediate sources of prosperity. This territory combines, in a remarkable degree, the advantage of fertile lands, fine timber, adjacent harbours, rivers, together with rich mineral products. These last, which have led to the large immigration of which all accounts speak, furnish the Government with the means of raising a Revenue which will at once defray the necessary expenses of an establishment.

I am aware that in Queen Charlotte Island, where gold was discovered a few years ago, licence fees were contemplated; but the small quantity of gold which was worked there has not afforded any settled or fixed data as to the results of that experiment.

My own views lead me to think that moderate duties on beer, wine, spirits, and other articles usually subject to taxation, would be preferable to the imposition of licences; and I confidently expect that from these sources a large and an immediate revenue may be derived.

The disposal also of public lands, and especially of town lots, for which I am led to believe there will be a great demand, will afford a rapid means of obtaining funds applicable to the general purposes of the Colony. You will, probably, at an early period take steps for deciding upon a site for a seaport town. But the question of how a Revenue can best be raised in this new country depends so much on local circumstances, upon which you possess such superior means of forming a judgment to myself, that I necessarily, but at the same time willingly, leave the decision upon it to you, with the remark that it will be prudent on your part, and expedient, to ascertain the general sense of the immigrants upon a matter of so much importance. Before I leave this part of the subject, I must state, that whilst the Imperial Parliament will cheerfully lend its assistance in the early establishment of this new Colony, it will expect that the Colony shall be self-supporting as soon as possible. You will keep steadily in view that it is the desire of this country that Representative Institutions and self-government should prevail in British Columbia, when, by the growth of a fixed population, materials for those Institutions shall be known to exist; and that to that object you must, from the commencement, aim and shape all your policy.

2. I have informed you in my Despatch of 30th instant, that a party of Royal Engineers will be despatched to the Colony immediately. It will devolve upon them to survey those parts of the country which may be considered most suitable for settlement, to mark out allotments of land for public purposes, to suggest a site for the seat of Government, to point out where roads should be made, and to render you such assistance as may be in their power, on the distinct understanding, however, that this force is to be maintained at the Imperial cost for only a limited period, and that, if required afterwards, the Colony will have to defray the expense thereof. I have to add, that I am of opinion that it will be reasonable and proper that the expense of the survey of all allotments of land to private individuals should be included in the price which the purchaser will have to pay for his property. I shall endeavour to secure, if possible, the services of an officer in command of the Engineers who will be capable of reporting on the value of the mineral resources. This force is sent for scientific and practical purposes, and not solely for military objects. As little display as possible should, therefore, be made of it. Its mere appearance, if prominently obtruded, might serve to irritate, rather than appease, the mixed population which will be collected in British Columbia. It should be remembered that your real strength lies in the conviction of the emigrants that their interests are identical with those of the Government, which should be carried on in harmony with and by means of the people of the country. As connected with this subject, it may be convenient to you to know that I contemplate sending out an experienced Inspector of Police to assist in the formation of a Police force. You should consequently lose no time in considering how that force can be organized. It must be derived from the people on the spot, who will understand that for their preservation from internal disturbances they must rely solely on themselves, and not on the military. I cannot permit myself to doubt, that in a matter so essential to the common security of all you will meet with the ready concurrence of the community, and that you will act for their interests in a manner which shall be popular, and conformable with their general sentiments.

3. I have to enjoin upon you to consider the best and most humane means of dealing with the Native Indians. The feelings of this country would be strongly opposed to the

BRITISH
COLUMBIA.

adoption of any arbitrary or oppressive measures towards them. At this distance, and with the imperfect means of knowledge which I possess, I am reluctant to offer, as yet, any suggestion as to the prevention of affrays between the Indians and the immigrants. This question is of so local a character that it must be solved by your knowledge and experience, and I commit it to you, in the full persuasion that you will pay every regard to the interests of the Natives which an enlightened humanity can suggest. Let me not omit to observe, that it should be an invariable condition, in all bargains or treaties with the Natives for the cession of lands possessed by them, that subsistence should be supplied to them in some other shape, and above all, that it is the earnest desire of Her Majesty's Government that your early attention should be given to the best means of diffusing the blessings of the Christian Religion and of Civilization among the Natives.

4. In conclusion, I wish to impress upon you the necessity of seeking, by all legitimate means, to secure the confidence and good-will of the immigrants, and to exhibit no jealousy whatever of Americans or other foreigners who may enter the country. You will remember that this Colony is destined for free institutions at the earliest moment. In the meanwhile it will be advisable for you to ascertain what Americans resorting to the diggings enjoy the most influence or popular esteem, and you should open with them a frank and friendly communication as to the best means of preserving order, and securing the interests and peace of the Colony. It may be deserving your consideration whether there may not be found already amongst the immigrants, both British and foreign, some persons whom you could immediately form into a Council of Advice; men, whom, if an Elective Council were ultimately established in the Colony, the immigrants themselves would be likely to elect, and who might be able to render you valuable assistance until the machinery of Government were perfected, and you were in possession of the instructions which the Queen shall be pleased to issue for your guidance.

5. I shall hope to receive at an early period your views on these and other topics of importance which are likely to present themselves for your decision in the difficult circumstances in which you are placed, and I request you to be assured, on the part of Her Majesty's Government, that I shall be most ready to afford you every assistance in my power.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 7.

No. 7.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.
(No. 7.)

SIR,

Downing Street, August 14, 1858.

*Vide page 1.

I HAVE to transmit to you, for information and guidance, copy of an Act* which has received Her Majesty's assent, entitled "An Act to provide for the Government of British Columbia."

There has not been as yet time to furnish you by this mail with the necessary Order in Council, Commission and Instructions to yourself as Governor, which are necessary in order to complete your legal powers.

You will continue nevertheless to act during the brief interval before their arrival as you have hitherto done, as the authorized representative of Her Majesty's Government in the territory of British Columbia, and take without hesitation such steps as you may deem absolutely necessary for the government of the territory, and as are not repugnant to the principles of British law; but you will do so in conformity with the directions which I transmit to you on several subjects by my Despatches of even date herewith, and in such others as you may receive from me.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 8.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

BRITISH
COLUMBIA.
No. 8.

SIR,

Downing Street, August 14, 1858.

1. I HAVE to acknowledge the very important series of Despatches of which the numbers and dates are specified in the margin, showing the manner in which you have continued to administer the Government of the territory in which the recent discoveries of gold have taken place, and detailing the extraordinary course of events in that quarter.

N^o 24, 10 June
1858,
" 25, 15 "
" 26, .. "
" 27, 19 "
" 28, .. "
" 29, 1 July
1858.

2. Her Majesty's Government feel that the difficulties of your position are such as courage, judgment, and familiarity with the resources of the country and character of the people can alone overcome. They feel also that minute directions conveyed from this distance, and founded on an imperfect knowledge, are very liable to error and misunderstanding. On some points, however, you have yourself asked for approval and Instructions; on others it is absolutely necessary that the views of Her Majesty's Government should be made clear to you.

3. As to the steps which you have already taken, I approve of the appointments which you have made and reported, of Revenue officers, Mr. Hicks and Mr. Travailot, of Mr. Perrier as Justice of the Peace, and of Mr. Young as Gold Commissioner. I approve also, as a temporary measure, of the steps which you have taken in regard to the surveying department; but I have it in contemplation to send to the Colony a head of that Department from England.

4. I propose selecting in this country some person for the office of Collector of Customs; and shall send you also, at the earliest moment, an officer authorized to act as Judge, and who, I trust, as the Colony increases in importance, may be found competent to fill with credit and weight the situation of Chief Justice. I await your intimations as to the wants and means of the Colony, in this sudden rise of social institutions in a country hitherto so wild, in order to select such law advisers as you may deem the condition and progress of immigration more immediately require. And it is my wish that all legal authorities connected with the Government should be sent from home, and thus freed from every suspicion of local partialities, prejudices, and interests.

5. I highly approve of the steps which you have taken, as reported by yourself, with regard to the Indians. It is in the execution of this very delicate and important portion of your duties that Her Majesty's Government especially rely on your knowledge and experience, obtained in your long service under the Hudson's Bay Company. You may in turn rely on their support in the execution of such reasonable measures as you may devise for the protection of the Natives, the regulation of their intercourse with the whites, and, whenever such a work may be commenced, their civilization. In what way the fur trade with the Indians may be henceforth carried on with the most safety, and with due care to save them from the demoralizing bribes of ardent spirits, I desire to know your views before you make any fixed regulations. No regulations giving the slightest preference to the Hudson's Bay Company will be in future admissible; but possibly, with the assent of the whole community, licences for Indian trade, impartially given to all who would embark in it, might be a prudent and not unpopular precaution.

6. I approve of the measures which you have taken for raising a Revenue by Customs, and authorize their continuance.

7. I approve also of your continuing to levy licence fees for mining purposes, requesting you, however, to adapt the scale of these fees to the general acquiescence of adventurers, and leaving it to your judgment to change this mode of taxation (as, for instance, into an export duty), if it shall appear, on experience, to be unadvisable to continue it. But on this head I must give you certain cautions. In the first place, no distinction must be made between foreigners and British subjects as to the amount per head of the licence fee required (nor am I aware that you have proposed to do so). In the second place, it must be made perfectly clear to every one that this licence fee is levied, not in regard to any supposed rights of the Hudson's Bay Company, but simply in virtue of the Prerogative of the Crown (now confirmed by the Act of Parliament transmitted to you, if this was necessary,) to raise such revenue as it thinks proper, in return for the permission to derive profits from the minerals on Crown lands.

8. Farther, with regard to these supposed rights of the Hudson's Bay Company, I must refer you, in even stronger terms, to the cautions already conveyed to you by my former Despatches. The Hudson's Bay Company have hitherto had an exclu-

sive right to trade with Indians in the Fraser's River territory, but they have had no other right whatever. They have had no right to exclude strangers. They have had no rights of Government, or of occupation of the soil. They have had no right to prevent or interfere with any kind of trading, except with Indians alone.

* * * * *

But to render all misconceptions impossible, Her Majesty's Government have determined on revoking the Company's licence (which would itself have expired in next May) as regards British Columbia, being fully authorized to do so by the terms of the licence itself, whenever a new Colony is constituted.

The Company's private property will be protected, in common with that of all Her Majesty's subjects; but they have no claim whatever for compensation for the loss of their exclusive trade, which they only possessed subject to this right of revocation. The instrument formally revoking the licence will shortly be forwarded to you.

9. With regard to the Revenue received from licences and Customs, you will hold it for the present to be expended on the necessary expenses of the Colony.

10. The immense resources which the information that reaches England every day, and is confirmed with such authority by your last Despatch, assure me the Colony possesses, and the facility for immediate use of those resources for the purpose of Revenue, will at once free the Mother Country from those expenses which are adverse to the policy of all healthful colonization.

* * * * *

You will bear the principle I have thus laid down perpetually in mind, so as to apportion the Expenditure to the Revenue, and not to allow the former to exceed the latter.

11. The most important objects to which the local revenue can be applied would seem to be, police, public works to facilitate landing and travelling, payment of the absolutely necessary officers, and above all surveying. But your own local judgment must mainly decide. You will render accurate accounts to me both of receipts and expenditure, and you will probably find it necessary shortly to appoint a Treasurer, which will be a provisional appointment.

You are authorized, if you think proper, to give for the present Government receipts in lieu of deposits of gold.

As to this point I wish to have a more definite account of the nature of your proposal.

12. You are fully authorized to take such measures as you can for the transmission of letters and levying postage.

13. It appears by your Despatch that the staff of Surveyors you have engaged are at present employed on Vancouver's Island, the soil of which is as yet held under the expiring licence of the Hudson's Bay Company; but it is British Columbia which now demands, and indeed may almost absorb, the immediate cares of its Governor, and your Surveyor may at once prepare the way for the arrival of the Surveyor-General appointed from hence, and of the Sappers and Miners who will be under his orders.

14. I now come to the important subject of future Government. It is possible (although on this point I am singularly without information) that the operations of the gold diggers will be to a considerable extent suspended during the winter, and that you will, therefore, have some amount of leisure to consider the permanent prospects of the Colony, and the best mode of administering its affairs.

You will be empowered both to govern and to legislate of your own authority; but you will distinctly understand that this is as a temporary measure only. It is the anxious wish of Her Majesty's Government that popular institutions, without which they are convinced peace and order cannot long prevail, should be established with as little delay as practicable; and until an Assembly can be organized (which may be whenever a permanent population, however small, is established on the soil.) I think, as I have already stated in a former Despatch, that your best course will probably be to form some kind of temporary Council, calling in this manner to your aid such persons as the miners themselves may place confidence in.

15. You will receive additional directions along with your Commission, when forwarded to you; and I have embodied in a separate Despatch those regarding the very important question of the disposal of land.

16. Aware of the immediate demand, on your time and thoughts connected with the pressing question of the immigration to the gold mines, I do not wish to add unnecessarily to the burden of duties so onerous; but as yet our Department has been left singularly in ignorance of much that should enter into considerations of general policy, and on which non-official opinions are constantly volunteered. Probably, amongst the

persons you are now employing, and in whose knowledge and exactitude you can confide, you might find some one capable of assisting, under your superintendence, in furnishing me, as early as possible, with a report of the general capacities of the harbours of Vancouver,—of their advantages and defects,—of the mouth of the Fraser's River, as the site of the entry into British Columbia, apart from the island,—of the probabilities of a coal, superior for steam purposes to that of the island, which may be found in the mainland of British Columbia, and such other information as may guide the British Government to the best and readiest means of developing the various and the differing resources both of the island and the mainland; resources which have so strangely been concealed for ages, which are now so suddenly brought to light, and which may be destined to effect, at no very distant period, a marked and permanent change in the commerce and navigation of the known world.

The officers now engaged in the maritime survey will, probably, render great assistance to yourself and to Her Majesty's Government in this particular.

17. I will only conclude with the general caution, that inasmuch as your legal powers are as yet incomplete, it will be well that you should therein confine yourself as much as possible to the mere issue of regulations absolutely required, and not seek to carry into effect the Crown's general power of legislation, until fully authorized thereto.

I have, &c.

Governor Douglas,
&c. &c.

(Signed) E. B. LYTTON.

No. 9.

No. 9

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 9.)

SIR,

Downing Street, August 14, 1858.

FREQUENT inquiries are addressed to this Office on the subject of the disposal of land in British Columbia to companies or private individuals in this country. In consequence of the ignorance in which, from the peculiar circumstances of the case, I am placed as to your views on a subject of such great importance to the future welfare of this new Colony, I have forborne answering these inquiries, or encouraging expectations which might not be realized. It is therefore very necessary that you should, at your earliest convenience, communicate to me the impressions which you entertain on this subject, accompanied by all the information which you can collect.

In the meantime you will take the following Provisional Rules to guide you:—

1. With regard to the very important subject of the disposal of land, you are authorized to sell land merely wanted for agricultural purposes (whenever a demand for it shall arise) at such upset price as you may think advisable. I believe that a relatively high upset price has many advantages; but your course must, in some degree, be guided by the price at which such land is selling in neighbouring American territories. But with regard to land wanted for town purposes (to which speculation is almost certain to direct itself in the first instance), I cannot caution you too strongly against allowing it to be disposed of at too low a sum. An upset price of at least 1*l.* per acre is in my opinion absolutely required, in order that the local Government may in some degree participate in the profit of the probable sales, and that mere land jobbing may be in some degree checked. Whenever a free Legislature is assembled, it will be one of its duties to make further provision on this head.

2. To open land for settlement gradually; not to sell beyond the limits of what is either surveyed or ready for immediate survey, and to prevent, as far as in you lies, squatting on unsold land. Mineral lands will require a special care and forethought, and I request your views thereon.

3. To keep a separate account of all Revenue to be derived from the sale of land, applying it to the purposes for the present of survey and communication, which, indeed should be the first charge on the Land Revenue; and you will of course remember that this will include the expense of the survey party (*viz.* Sappers and Miners) now sent out. I shall be anxious to receive such accounts at the earliest period at which they can be furnished,

4. Foreigners, as such, are not entitled to grants of waste land of the Crown in British Colonies. But it is the strong desire of Her Majesty's Government to attract to this territory all peaceful settlers, without regard to nation. Naturalization should,

BRITISH
COLUMBIA.

therefore, be granted to all who desire it, and are not disqualified by special causes; and with naturalization the right of acquiring Crown land should follow.

5. You will pardon me if I enjoin on you, as imperative, the most diligent care that in the sales of land there should not be the slightest cause to impute a desire to show favour to the servants of the Hudson's Bay Company. Parliament will watch with jealousy every proceeding connected with such sales; and I shall rely upon you to take every precaution which, not only impartial probity, but deliberate prudence, can suggest, that there shall be no handle given for a charge, I will not say of favour, but of indifference or apathy to the various kinds of land jobbing, either to benefit favoured individuals or to cheat the Land Revenue, which are of so frequent occurrence at the outset of colonization, and which it is the duty of Her Majesty's Government, so far as lies in them, to repress.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 10.

No. 10.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(Separate.)

SIR,

Downing Street, September 1, 1858.

I HAVE the honour to introduce to you Captain Parsons, the bearer of this Despatch, who, in pursuance of the intention which I have already communicated to you, has been directed to repair to British Columbia, accompanied by twenty non-commissioned officers and men of the Royal Engineers.

I need scarcely observe to you that the object for which this officer and his party have been detached to British Columbia is for the exclusive service of that Colony. You will, therefore, afford him every assistance in your power for enabling him to commence immediately such operations in it as shall appear to him to be necessary, in anticipation of the arrival of his commanding officer, Colonel Moody, R.E., who will follow him with as much rapidity as is practicable. And I trust that if Captain Parsons should require the temporary occupation for his party of the trading posts up the country which belong to the Hudson's Bay Company, you will take measures for affording him such accommodation.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 11.

No. 11.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 1.)

SIR,

Downing Street, September 2, 1858.

I HAVE the honour to transmit to you herewith the Queen's Commission* under the Great Seal, constituting and appointing you to be Governor and Commander-in-Chief in and over the Colony of British Columbia and its Dependencies, together with Instructions† under the Royal Sign Manual and Signet for your general guidance in the administration of the Government of the Colony.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 12.

No. 12.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 2.)

SIR,

Downing Street, September 2, 1858.

I HAVE the honour to transmit herewith, for your information and guidance, the copy of an *Order made this day by Her Majesty in Council, by which you are

*Commission, dated 2d September 1858, vide page 3.

†Instructions dated 2d September 1858, vide page 5.

Order in Council, dated 2d September 1858, vide page 8.

empowered (subject to the conditions therein mentioned) to make provision for the administration of justice, and to establish all such laws as may be necessary for the peace, order, and good government of the Colony of British Columbia.

BRITISH
COLUMBIA.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON

No. 13.

No. 13.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
(No. 3.) DOUGLAS.

SIR, Downing Street, September 2, 1858.

REFERRING to my Despatch No. 8. (Vancouver's Island) of the 14th ultimo, I transmit to you, herewith, the Queen's revocation* of the Crown Grant of the 30th of May 1838, to the Hudson's Bay Company, in so far as the said Grant embraces or extends to the territories comprised within the Colony of British Columbia.

* Vide page 9.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 14.

No. 14.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
(No. 5.) DOUGLAS.

SIR, Downing Street, September 2, 1858.

I TRANSMIT, for your information, copies of a correspondence between this Department and the Board of Admiralty, on the subject of affording Naval assistance to British Columbia.

Enclosure 1.
Enclosure 2.
Enclosure 3.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure 1 in No. 14.

Enclosure 1 in
No. 14.

SIR, Downing Street, August 11, 1858.

I AM directed by Secretary Sir Edward Bulwer Lytton to acknowledge your letter of the 4th instant, transmitting copies of letters from the Commander-in-Chief of Her Majesty's Naval Forces in the Pacific, dated the 25th June, and from Governor Douglas, of the 12th May preceding, on the subject of affording Naval assistance to British Columbia.

I am to request that you will inform the Lords Commissioners of the Admiralty that Sir Edward Lytton attaches the greatest importance to the presence of a naval force, with as many Marines as can be conveniently spared, off Fraser's River, and that he hopes it may be in the power of their Lordships to meet his views in this respect.

The Secretary to the Admiralty.

I am, &c.
(Signed) H. MERIVALE.

Enclosure 2 in No. 14.

Enclosure 2 in
No. 14.

SIR, Admiralty, August 16, 1858.

WITH reference to your letter of the 11th instant, stating that the greatest importance is attached to the presence of a naval force, with as many Marines as can be spared, off Fraser's River, I am commanded by my Lords Commissioners of the Admiralty to transmit to you herewith, for the information of Secretary Sir Edward Bulwer Lytton, a copy of a letter which has been this day addressed to Rear-Admiral Baynes upon the subject.

I am, &c.
(Signed) W. G. ROMAINE.

Herman Merivale, Esq.,
&c. &c.,
Colonial Office.

Sub-Enclosure to Enclosure 2 in No. 14.

BRITISH
COLUMBIA.Sub-Enclosure
to Encl. 2 in
No. 14.

SIR,

Admiralty, August 16, 1858.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you herewith a copy of a letter, dated the 11th instant, from Her Majesty's Under-Secretary of State for the Colonies, stating that the greatest importance is attached to the presence of a naval force off Fraser's River; and with reference to former orders upon this subject, and to the observations in your letter of the 25th June, "that you cannot, without distressing other parts of your station, keep a greater force than the 'Satellite' and 'Plumper' at Vancouver's Island," my Lords desire me to inform you that the presence of a force, as referred to in the Colonial Office letter, herewith forwarded to you, is to be considered by you as a more pressing and important service than any other on your station of which they are cognizant.

Having this day received letters from Captain Prevost respecting the recent discoveries of gold at Fraser's River, British Columbia, dated the 17th June last, my Lords deem it important to repeat the expression of their opinion, that every possible assistance, which the means at your disposal will permit, should be given to support the authority of the Governor of the Hudson's Bay territory, and to correct the irregularities which, if not checked, may lead to serious complications.

Rear-Admiral Baynes, C.B.,
Valparaiso.

I am, &c.
(Signed) W. G. ROMAINE.

Enclosure 3 in
No. 14.

Enclosure 3 in No. 14.

SIR,

Downing Street, August 20, 1858.

I AM directed by Secretary Sir E. B. Lytton to acknowledge your two letters of the 16th of this month, the one transmitting copy of communication received from Captain Prevost of the "Satellite," the other, copy of the letter addressed by command of the Lords Commissioners of the Admiralty to Rear-Admiral Baynes, on the subject of affording the necessary protection to the local Government in Vancouver's Island, and the region termed in your letter the Hudson's Bay Territory, now the Government of British Columbia; and I have to express Sir E. B. Lytton's sense of the value of the directions thus given by their Lordships in the present crisis, and of the importance of continuing the vigilance now directed towards that quarter.

The Secretary to the Admiralty.

I am, &c.
(Signed) H. MERIVALE.

No. 15.

No. 15.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 6.)

SIR,

Downing Street, September 2, 1858.

I HAVE to acquaint you that directions were sent by the Overland Mail of the 25th ultimo to Rear-Admiral Sir Michael Seymour, to despatch H.M.S. "Tribune" to Vancouver's Island, with as many supernumerary Marines as she can carry and he can spare.

The Lords Commissioners of the Admiralty have further apprised me that the Admiral was instructed, in May last, to send H.M.S. "Pylades" and "Amethyst" to the Pacific Station, as soon as their services in India and China might be no longer required, and that he has now been ordered to send the two ships in the first instance to Vancouver's Island.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 16.

No. 16.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 7.)

SIR,

Downing Street, September 2, 1858.

I TRANSMIT for your information copies of a correspondence between this Department and the War Office, which will place you in possession of the measures which have been taken for sending to British Columbia a detachment of the Royal Engineers under the command of a field officer.

Enclosure 1.
Enclosure 2.
Enclosure 3.
Enclosure 4.

Colonel Moody has been appointed to this command, and has also been selected for the office of Chief Commissioner of Lands and Works in British Columbia; and I transmit a copy of the instructions which have been addressed to Colonel Moody with reference to the discharge of his duties in that capacity, and specifying the amount of regimental pay and Colonial allowances to which he and the commissioned and non-commissioned officers and Sappers of the detachment are entitled.

I may further observe, that a ship has been chartered, and is in course of preparation for the conveyance of the larger portion of this detachment by the Horn; but as the passage will consume nearly four months, and it is desirable that you should have the assistance and support of a part of this body without delay, both to represent the military force of this country and to facilitate those surveying and engineering operations which it may be expedient to commence forthwith, I have made arrangements for the despatch of 20 men and an officer by the steamer which leaves this country for Panama on the 2d of next month.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure 1 in No 16.

BRITISH
COLUMBIA.
Enclosure 5.

SIR,

Downing Street, July 13, 1858.

I AM directed by Secretary Sir E. B. Lytton to request that you will call the attention of Secretary Major-General Peel to the urgent necessity which appears to exist for affording the assistance of a military force to the civil power in Vancouver's Island and on the opposite coast of North America, under the circumstances detailed in the annexed correspondence relative to the discovery of gold in the Fraser's River District just presented to Parliament.*

The Crown will be advised to constitute immediately a Colonial Government for the Fraser's River District in connexion, as far as this may be practicable, with that already established in Vancouver's Island. There are one or two of Her Majesty's vessels of war at that island, and this naval force will probably be soon augmented. But it appears to Sir E. B. Lytton that there should be in addition a number of soldiers (say from one hundred to one hundred and fifty), who should, on the Governor's requisition, be marched inland, if there should be occasion for their presence, to obviate the collisions which may be expected between the diggers for gold and the Indians.

Secretary Major-General Peel will be best able to determine in what manner this force should be furnished; whether, for example, by moving the detachment now established on the Red River in North America, where their presence does not seem now to be required, or from the West Indies or elsewhere.

The Under Secretary for War,
&c. &c.

I am, &c.
(Signed) H. MERIVALE.

Enclosure 2 in No 16.

Enclosure 1
No. 16.

SIR,

Downing Street, August 3, 1858.

IN acknowledging the receipt of your letter of the 27th ultimo, stating that a party of non-commissioned officers and men of the Royal Engineers will be held in readiness for British Columbia, I am directed by Secretary Sir E. B. Lytton to request that you will observe to Secretary Major-General Peel, that in the selection of the field officer for the command of this detachment, it will be of inestimable value to the prosperous foundation of the settlement that the choice should devolve on a man of good judgment, possessing a knowledge of mankind; for in the difficult situation in which the officer administering the Government of this new Colony will be placed at first, he will find it of great advantage to be able to resort to an adviser on whom he can rely for a sound and disinterested opinion. I am to explain that the object for which this party of Royal Engineers is sent to British Columbia is not solely military, though circumstances may compel it to act in that capacity, but for practical and scientific purposes; that it will be required to execute surveys in those parts of the country which may be considered most eligible for settlement, to mark out allotments of land for public purposes, to suggest a site for the seat of Government and for a sea-port town, to point out where roads should be made, and to render such general aid to the Governor as may be within its competency. The officer administering the Government has been distinctly apprized that this Engineer force will be maintained at the charge of the Imperial Treasury for only a limited period; that if required beyond such period, the Colony will be called upon to defray the expense,

Enclosure 2 in
No. 16.

* Vide Papers presented to both Houses of Parliament by Command of Her Majesty, 2nd July 1858.

BRITISH
COLUMBIA.

and that the cost of surveys of lands for private individuals must be borne by the purchasers themselves, and be included in the price of the land.

Sir E. Lytton desires me to state that it would be very desirable if amongst this party there were one or two persons possessing a knowledge of mineralogy, and capable of reporting upon the gold, and especially upon the subject of the local resources which Sir Edward has been informed exist in the Colony. I am to request that the officer commanding the Engineers may be instructed that as little display as possible should be made of this military force; that it is the desire of Her Majesty's Government that the immigrants should learn that their interests are identical with those of the Government, which should be carried on in harmony with and by means of the people of the country; and that therefore they are not to rely upon the military as a force for the maintenance of peace and order amongst themselves, or amongst the Native Indians.

Sir E. Lytton considers it indispensable, that besides their scientific instruments, the Engineers should take with them tents, arms, including revolvers, ammunition, and such military equipments as General Peel may deem suitable for emergencies which may, though it is hoped they will not arise.

I am further to state that, in consequence of reports which daily reach this Office, Sir E. Lytton is most anxious that this force should reach British Columbia with as little delay as possible; that he considers that in every point of view it will be preferable that they should go round Cape Horn instead of by Panama; and that it would therefore be advisable that Major-General Peel should communicate with the Lords Commissioners of the Admiralty with the view of engaging the necessary freight. I am to add that Sir E. Lytton proposes to send by the same opportunity two or three of the public officers whom he intends to appoint to situations in the Colony; and that he will shortly apprise Major-General Peel whether they will be accompanied by their families, and with the number of their servants.

The Under Secretary for War.

I am, &c.
(Signed) H. MERIVALE.

Enclosure 3 in No. 16.

(Extract.)

Enclosure 3 in
No. 16.

SIR,

War Office, August 17, 1858.

WITH reference to the correspondence which has passed relative to the force of Royal Engineers about to be despatched to British Columbia, I am directed by the Secretary of State for War to transmit to you, for the consideration of Sir Edward Bulwer Lytton, the accompanying copy of a letter from the Horse Guards, together with its enclosures, giving a detail of the proposed party, and of the pay and allowances to be granted to the officers and men.

Major-General Peel would recommend that the proposals of the General Commanding-in-Chief should be sanctioned and approved, except as regards the Chaplain and Commissariat officer, which appointments Major-General Peel does not consider the circumstances under which this detachment is sent to the Colony render necessary. The number of women may be reduced to twenty.

I am also to transmit the accompanying papers which have been received from the Inspector General of Fortifications, containing suggestions with regard to the equipment to be provided for the detachment; and Sir John Burgoyne has further recommended that a photographic apparatus should be added.

Major-General Peel requests that you will inform him, at your earliest convenience, whether, taking into consideration the nature of the services on which the men will be employed, Sir E. B. Lytton is of opinion that the articles of equipment specified in these suggestions will be required.

H. Merivale, Esq.,
&c. &c.

I have, &c.
(Signed) J. R. GODLEY.

Enclosure 4 in No. 16.

Enclosure 4 in
No. 16.

SIR,

Downing Street, August 18th, 1858.

I HAVE laid your letter of the 17th instant, with its several enclosures, before Secretary Sir E. B. Lytton, and I am directed by him to request that you will inform Secretary Major-General Peel that immediate steps should be taken for despatching the following detachment of Royal Engineers for service in British Columbia:

- 1 Lieut.-Colonel, with a Colonial allowance of 1,200*l.* per annum, besides regimental pay, which should in each case be borne by this country.
- 2 Captains, at a salary of 350*l.* per annum each, in addition also to their regimental pay.
- 3 Subalterns, at 250*l.* per annum each, exclusive of regimental pay.
- 150 Non-commissioned officers and men, with regimental and working pay, accompanied by 20 women, according to the scale submitted by Colonel Gordon in his letter of the 11th instant.

The chaplain and Commissariat officer to be dispensed with; but a Medical officer should be sent.

Of this party Sir E. Lytton wishes that 20 non-commissioned officers and men under the orders of a subaltern should be sent on by the mail steamer of the 1st September, via Panama, taking with them such instruments of survey as they may require for immediate use.

The equipments, military and civil, of which a list has been made out by order of the Inspector General of Fortifications, should be at once procured, subject to the alterations made in it, it being understood that these articles are all deemed by that officer to be absolutely indispensable, and that they will not be expensive; but articles which are essentially military ought not to be made a charge against the Colony.

It will be necessary that an exact account should be kept of all the expenses incurred for this expedition, it being intended that the new Colony shall ultimately defray the entire cost of its establishment. In the meanwhile, arrangements are being made with the Lords Commissioners of the Treasury to advance funds, on the requisition of the Governor, sufficient to cover the expense which this party of Engineers shall occasion (independently, of course, of those expenses for which the War Office is legitimately liable), in case there should be no Colonial resources immediately available for that purpose.

It has been urged by Colonel Moody that one serjeant and one corporal of cavalry, together with one serjeant and one corporal of artillery, should be added to the detachment. It is stated that they will be of material assistance. Sir E. Lytton would wish this addition to be made to the force.

Colonel Moody has also suggested that, besides the rations mentioned in Colonel Gordon's letter of the 11th instant, as necessary to be issued to officers and men, it would be very advisable that they should be allowed to purchase at prime cost stores of clothing, and that a guide for this may be taken from the purser's list on board a man-of-war. I am to state that Sir E. Lytton will raise no objection to this suggestion of Colonel Moody, if it meets with the approval of Major-General Peel.

The Under Secretary of State
for War.

I have, &c.
(Signed) H. MERIVALE.

Enclosure 5 in No. 16.

Enclosure 5 in
No. 16.

Sir,

Downing Street, August 23, 1858.

As you have been selected for the office of Chief Commissioner of Lands and Works in British Columbia, Sir E. B. Lytton considers it desirable to place on record the arrangement which has been settled, on your acceptance of that appointment. It is to be distinctly understood,—

1st. That the Governor is the supreme authority in the Colony. That you will concert with him, and take his orders as to the spots in the Colony to which your attention as to surveys, &c. should be immediately and principally directed. That you will advise and render him all the assistance in your power, in the difficult situation in which it is probable that he will be placed for some time.

2. The Governor will be instructed to regard your duties as special, and that they are not on any account to be interfered with, except under circumstances of the gravest necessity, so that all possible conflict of duties may be avoided. On this point Sir Edward feels persuaded that your character and your Colonial experience are sufficient guarantees against any discordance with the Governor.

3. The Governor will be authorized to draw upon the Lords Commissioners of the Treasury for the payment of the expenses attending the surveying party under your orders, if he should have no funds immediately at hand in the Colony for that purpose. You will, therefore, address your requisitions for money to him, if it should be necessary. At the same time it is well to understand that Her Majesty's Government count on the immediate raising of large Revenues from the land sales and other resources of the Colony, sufficient to defray from the outset the expenses of the survey and of all other except the salary of the Governor. And you will afford the Governor, though without shackling his discretion, the benefit of your talents and experience in any suggestions for ensuring at the earliest period this paramount object.

4. The rates of pay and allowances which have been settled for officers and men are as follows:—

Officers.	Regimental Pay per Annum.	Colonial Allowance.	Total.
1 Chief Commissioner of Lands and Works, Colonel Moody, R.E. -	£ 330	£ 1,200	£ 1,530
1 Captain - - - -	202	350	552
1 2d Captain - - - -	202	350	552
1 3d 2d Captain - - -	202	350	552
2 Subalterns (each) - -	125	250	375

Non-commissioned Officers and Sappers.

	Regimental Pay per Diem.	Working Pay per Diem.	Total.
1 Colour Sergeant and Acting Sergeant-Major - - -	s. d. 3 10½	3s. to 5s.	s. d. 6 10½ to 8 10½
1 Sergeant and Acting Quarter- master Sergeant - - -	3 4½	3s. to 5s.	6 4½ to 8 4½
7 Sergeants (each) - - -	2 10½	3s. to 5s.	5 10½ to 7 10½
8 1st Corporals - - - -	2 2½	1s. to 4s.	3 2½ to 6 2½
8 2d Corporals - - - -	1 10¾	1s. to 4s.	2 10¾ to 5 10¾
2 Buglers - } - - -	1 2½	1s. to 4s.	2 2½ to 5 2½
123 Sappers - }			

BRITISH
COLUMBIA.

5. It is agreed that you shall remain in the Colony one year from the date of your arrival, and that you will not quit it unless you are satisfied that the officer you leave in charge is fully competent to the work before him, and that the public service is not prejudiced by your return to England. Should you desire to stay longer for the execution of works in which you are actively engaged, and to which you consider your presence essential, you will communicate that wish to Her Majesty's Government. You will make it your care to furnish this Department from time to time with full reports of the various resources and capabilities of the Colony, according to the information which the exercise of your functions will necessarily give you, and with a view to the development of the social and industrial prosperity and welfare of the Colony,—its mines, its fisheries, the quality of its coal, the nature of the soil, the maritime approaches to the Colony, if held distinct from the island.

These reports will be sent to this Department through the Governor.

Colonel Moody, R.E.,
&c. &c.

I am, &c.
(Signed) H. MERIVALE.

No. 17.

No. 17.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.
(No. 8.)

SIR,

Downing Street, September 2, 1858.

* Page 44.

IN one of the Despatches, No. 6*, which I addressed to you last July, it was mentioned that the detachment of Royal Engineers which Her Majesty's Government considered advisable to send to British Columbia would be maintained at the Imperial cost for only a limited period, and that if continued afterwards the Colony would have to defray the expense thereof.

I can scarcely doubt that you will have noticed that when I wrote that Despatch I had not received those reports from you, nor was the public in possession of that general information, which ascribe to the Colony the prospect of raising a large and early Revenue. This more recent intelligence has necessarily caused an alteration in my views with respect to the first charge for the Engineer party. I desire, therefore, to state, that as the Despatch to which I have above alluded was written before I was aware of the great prospects of the Colony, Her Majesty's Government having since become apprized of that fact, feel that it would be impossible to impose on this country the charge for the Engineers which, under other circumstances, it might have been proper it should have assumed. It is therefore imperatively necessary for me to repeat, what indeed has been very frequently mentioned, that Her Majesty's Government expect that British Columbia shall be self-supporting, and that the first charge upon the land sales must be that of defraying all the expenses which this Engineer party shall occasion. Any expenditure which the British Treasury shall have incurred on this account will have to be reimbursed by the Colony as soon as its circumstances permit, and for which I have now to instruct you to make suitable provision.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 18.

No. 18.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.
(No. 9.)

SIR,

Downing Street, September 2, 1858.

Enclosure 1.
Enclosure 2.

I TRANSMIT to you herewith, for your information, copy of a correspondence between the Treasury and this Office on the subject of the Postal Arrangements between this country and British Columbia.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure 1 in
No. 18.

Enclosure 1 in No. 18.

SIR,

Downing Street, August 3, 1858.

I AM directed by Secretary Sir E. B. Lytton to request that you will represent to the Lords Commissioners of the Treasury that the establishment of the Colony of British Columbia, and the extensive immigration flowing, according to all accounts, into that country, make it very desirable that some safe and regular Postal communication should be formed between this Kingdom and the Colony. Sir Edward Lytton therefore requests that the Lords Commissioners would take this subject

into their consideration, and favour him with their opinion as to the possibility of establishing such means of communication.

BRITISH
COLUMBIA.

Sir C. E. Trevelyan, K.C.B.
&c. &c. &c.

I am, &c.
(Signed) H. MERIVALE.

Enclosure 2 in No. 18.

Enclosure 2 in
No. 18.

SIR,

Treasury Chambers, August 25, 1858.

WITH reference to your letter of 3d instant, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Sir E. Bulwer Lytton, that they have had under their careful consideration the important subject of establishing a Postal communication with the Colony of British Columbia, and have been in correspondence with the Admiralty and the Post Office in relation thereto.

I am to state that if the position of the Colony at the present time were such as to warrant a large expenditure, whether from Imperial or Colonial resources, my Lords would be disposed to prefer a service from this country to Halifax or some port in connexion with our North American Colonies adopting, probably, the existing Postal service for so far, and to invite tenders for a service from thence to Colon, in extension, probably, of that recently established to Nassau, and further to invite tenders for a service between Colon or Panama and Vancouver's Island.

But my Lords have reason to believe that the cost of that service would be very large, that between Panama and Vancouver's Island alone being estimated by the Admiralty at not less than 100,000*l.* a year.

My Lords would not consider themselves warranted in sanctioning, under the present circumstances of the Colony of British Columbia, so large a charge, the whole of which for some time to come would have to be defrayed out of the Imperial resources.

In addition to this there are other considerations, connected with the want of harbour accommodation, and with the development of the coal fields at Vancouver's Island, which render it probable that a contract after some time may be more advantageously entered into for the service than at present.

My Lords, therefore, are disposed to the opinion, that for the present it may be advisable to form the Postal communication between this country and British Columbia by the Royal Mail Steam Company to Colon, whose vessels leave Southampton on the 2d and 17th of each month, under the contract of July 5th, 1850; that a temporary arrangement should be made by Her Majesty's Postmaster-General with the Postmaster of the United States, for transmitting the letters from Panama by the United States mail steamers to San Francisco; and that tenders should be invited by public advertisement for performing the service between San Francisco and Vancouver's Island.

My Lords would not be disposed to limit these tenders as regards size of vessels, or to require for the present any extraordinary speed.

It seems to them more expedient to leave to parties who may tender the option of naming such size and speed as may be most suitable, as well for the passenger trade as for the Postal service.

As the times when the Mail Steamers of the United States leave and arrive at Panama do not accord with the arrival and departure of the vessels of the Royal Mail Steam Company on the eastern side of the isthmus, my Lords would invite the Postmaster of the United States to reconsider the times of arrival and departure of the United States Mail Steamers between Panama and San Francisco.

In the event of satisfactory tenders not being made in this country for this service, my Lords would propose that the Postmaster of the United States should be requested to make arrangements at San Francisco for the regular transmission of letters from thence to Vancouver's Island, for a limited time, suppose one or two years.

I am to request you to move Sir E. Bulwer Lytton to favour my Lords with his opinion on the subject. If he should approve of the course which their Lordships suggest, immediate instructions will be given by this Board to the Lords Commissioners of the Admiralty and the Postmaster-General, to adopt the necessary means for establishing this Postal communication between this country and British Columbia without further delay.

I am desired to enclose two letters on this subject from the Admiralty and Postmaster-General.

Sub-Encl. 1.
Sub-Encl. 2.

H. Merivale, Esq.,
&c. &c.

I am, &c.
(Signed) GEO. A. HAMILTON.

Sub-Enclosure 1 to Enclosure 2 in No. 18.

Sub-Enclosure
1 to Enclosure 2
in No. 18.

SIR,

Admiralty, August 17, 1858.

WITH reference to your letter, No. 14,092 of the 13th instant, transmitting copies of letters from the Colonial Office and the Postmaster-General relative to a proposed Postal communication with the new Colony of Columbia, and requesting to be favoured with the opinion of my Lords Commissioners of the Admiralty as to the best means of providing for the service, I am commanded by the Lords Commissioners of the Admiralty to request you will state to the Lords Commissioners of Her Majesty's Treasury that my Lords consider that tenders should be called for to ascertain what parties are able and willing to undertake the service of carrying Her Majesty's Mails between Panama and Vancouver's Island direct, and they apprehend that the Mails should be

H

BRITISH
COLUMBIA.

carried viâ Halifax or New York, as a means of directly connecting the new Colonies with British North America. My Lords do not foresee any difficulty in procuring good and substantial parties to carry out the service from Halifax or New York to Colon, as a branch of the North American Packet Service. The annual cost of this would probably be about 25,000*l*. In the meantime, the mails to be carried in the Packets of the Royal Mail Company to Colon.

With regard to the service from Panama to Vancouver's Island, my Lords would remark, that there are no docks for the repair of large ships at any port between those places, except at San Francisco, a foreign port; while this distance, 4,150 miles, is so great that it cannot be carried out in small vessels. Coals at Panama are very dear, and wages all along the west coast of North America are exorbitantly high.

For these reasons a subsidy of not less than 100,000*l*. a year would probably be required to obtain the only class of vessels which could satisfactorily carry on the Postal communication between the Isthmus and Vancouver's Island direct.

To organize and get such a service into active operation would require a considerable length of time, and my Lords would, therefore, suggest whether an arrangement should not be come to with one or more of the United States' lines now running almost weekly between Panama and San Francisco, and tenders for a limited time be called for from those parties for carrying on the Mail Service from San Francisco to Vancouver's Island, pending arrangements being made and carried out for an English line direct from Panama to Vancouver's Island.

The Secretary of the Treasury.

I am, &c.
(Signed) W. G. ROMAINE.

Sub-Enclosure
2 to Enclosure 2
in No. 18.

Sub-Enclosure 2 to Enclosure 2 in No. 18.

MY LORDS,

General Post Office, August 11, 1858.

In returning the enclosed letter, referred to me by your Lordships on the 7th instant, I beg to observe that I entirely concur with Secretary Sir Edward Bulwer Lytton in the opinion that it will be very desirable to establish as speedily as possible a good and regular Postal communication with the new Colony of British Columbia, and I conclude that letters will be forwarded with the greatest advantage viâ Panama.

By the packets of the Royal Mail Steam Packet Company mails can be sent twice a month between Southampton and Colon, and the passage of the Isthmus is effected in a few hours.

Between Panama and San Francisco there is also a Postal communication twice a month, by means of United States' mail packets; but neither the departure of these packets from Panama nor their arrival at Panama is fitted to the British Packet Service to and from Colon, and mails forwarded by them would, therefore, be exposed to some detention on the Isthmus.

Further, if the United States packets were made use of, provision would require to be made for the conveyance of the mails between San Francisco and British Columbia.

Under these circumstances it becomes a question whether steps should not be taken with the object of setting up a communication by British packets for the entire distance between Panama and British Columbia; and if your Lordships are of the same opinion, I presume that you will consult the Lords Commissioners of the Admiralty as to the best means of carrying the object into effect.

The Lords Commissioners of the Treasury.

I have, &c.
(Signed) COLCHESTER

No. 19.

No. 19.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 12.)

SIR,

Downing Street, September 2, 1858.

* Page 44.

IN my Despatch of the 31st July, No. 6*, I directed your attention to the treatment of the Native Indians in the country which it has so recently been decided to establish as a British Colony. I regard that subject as one which demands your prompt and careful consideration. I now transmit to you the copy of a letter from the Aborigines Protection Society, invoking the protection of Her Majesty's Government on behalf of these people. I readily repeat my earnest injunctions to you to endeavour to secure this object. At the same time I beg you to observe that I must not be understood as adopting the views of the Society as to the means by which this may be best accomplished.

Enclosure.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure in No. 19.

To the Right Honourable Sir EDWARD BULWER LYTTON, M.P., Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

SIR,

As the Aborigines Protection Society have for many years taken a deep interest in the welfare of the Indian Tribes to the west as well as the east of the Rocky Mountains, I am instructed to address you on certain matters affecting not only the rights and interests but the very existence of the numerous Indian population of the new Colony of British Columbia. It appears, from all the sources of information open to us, that unless wise and vigorous measures be adopted by the representatives of the British Government in that Colony, the present danger of a collision between the settlers and the natives will soon ripen into a deadly war of races, which could not fail to terminate, as similar wars have done on the American continent, in the extermination of the red man.

The danger of collision springs from various causes. In the first place, it would appear from Governor Douglas's Despatches as well as from more recent accounts that the natives generally entertain ineradicable feelings of hostility towards the Americans, who are now pouring into Fraser's and Thompson's Rivers by thousands, and who will probably value Indian life there as cheaply as they have, unfortunately, done in California. The reckless inhumanity of the gold diggers of that state towards the unfortunate Indians is thus described in a recent number of the *New York Times* :—

"The country is perfectly wild, and a dense forest, full of warlike Indians; and, with the well-known injustice of the miner towards anything of the genus Indian or Chinaman, and their foolhardiness, they will get up a series of little amusements in the way of pistolling and scalping, quite edifying. It is the custom of miners generally to shoot an Indian as he would a dog; and it is considered a very good joke to shoot at one at long shot, to see him jump as the fatal bullet pierces his heart. And when, in the spirit of retaliation, some poor hunted relative watches his opportunity, and attacks a straggling white man, the papers at once teem with long accounts of Indian outrages. And yet the men that shoot down these poor Indians are not the ruffians we are led to suppose are always the authors of atrocities, but the respectable sovereign people, brought up in the fear of God by pious parents, in the most famed locations for high moral character. The Indian and Chinese murders are more frequently committed by men brought up in the quiet country villages of eastern states, and who return looking as innocent as lambs. There never yet existed so bad a set of men on the face of this fair earth as a certain class of the highly respectable sovereigns of the states who find their way to the frontiers. It is much to be rejoiced at that the Fraser River Indians are of a serious turn of mind, and can't take a joke; and in their ignorance of the sports and pastimes of the great American nation may deprive some of the practical jokers of their 'hatches.'"

The necessity which is imposed upon Her Majesty's Government to adopt measures to protect the Indians against this class of diggers is too obvious to require any further illustration or argument on our part.

But there is another aspect of the question which is of equal importance. The Indians, being a strikingly acute and intelligent race of men, are keenly sensitive in regard to their own rights as the aborigines of the country, and are equally alive to the value of the gold discoveries; no better proof of which could be furnished than the zest and activity with which large numbers of them have engaged in gold digging. Governor Douglas states that in the earlier stages of the gold discoveries they endeavoured to expel the settlers, who were then few in number, and to obtain possession of the fruits of their labour. But he also states that while manifesting a determination to reserve the gold for their own benefit, they yet respected the persons and property of the whites. Other accounts describe the Indians as "quiet and peaceful," but state that "as soon as a miner lays down his pick an Indian stands by to make use of it for himself, and when he lays down the shovel for the pick the Indian takes the shovel, and relinquishes the other implement." They are further described as having learnt the full value of their labour; in proof of which it is stated that they now charge five dollars to eight dollars a day, instead of one dollar, for their services as boatmen in navigating Thompson's and Fraser's rivers.

As, therefore, the Indians possess an intelligent knowledge of their own rights, and appear to be determined to maintain them by all the means in their power, there can be no doubt that it is essential to the preservation of peace in British Columbia that the natives should not only be protected against wanton outrages on the part of the white population, but that the English Government should be prepared to deal with their claims in a broad spirit of justice and liberality. It is certain that the Indians regard their rights as natives as giving them a greater title to enjoy the riches of the country than can possibly be possessed either by the English Government or by foreign adventurers. The recognition of native rights has latterly been a prominent feature in the aboriginal policy of both England and the United States. Whenever this principle has been honestly acted upon, peace and amity have characterized the relations of the two races, but whenever a contrary policy has been carried out, wars of extermination have taken place; and great suffering and loss, both of life and property, have been sustained both by the settler and by the Indian. We would beg, therefore, most respectfully to suggest that the Native title should be recognized in British Columbia, and that some reasonable adjustment of their claims should be made by the British Government.

The present case resembles no common instance of white men encroaching on the lands and rights of aborigines for hunting or settlement. It more than realizes the fabulous feuds of Gryphons and Arimaspians, and no ordinary measures can be expected to overcome the difficulties which duty and interest require to be removed if British Columbia is to become an honourable or advan-

BRITISH
COLUMBIA.

tageous portion of the British Dominions. It would seem that a Treaty should be promptly made between the delegates of British authority and the chiefs and their people, as loyal, just, and pacific as that between William Penn and the Indians of Pennsylvania, but that more stringent laws should be made to ensure its provisions being maintained with better faith than that was carried out on the part of the whites. No nominal protector of aborigines,—no annuity to a petted chief,—no elevation of one chief above another, will answer the purpose. Nothing short of justice in rendering payment for that which it may be necessary for us to acquire, and laws framed and administered in the spirit of justice and equality, can really avail. To accomplish the difficult but necessary task of civilizing the Indians, and of making them our trusty friends and allies, it would seem to be indispensable to employ in the various departments of Government a large proportion of well-selected men, more or less of Indian blood, (many of whom could be found at the Red River,) who might not only exert a greater moral influence over their race than we could possibly do, but whose recognized position among the whites would be some guarantee that the promised equality of races should be realized. The adoption of these or similar measures would, we believe, propitiate the goodwill of the Indians; and instead of obstructing the work of colonization they might be made useful agents in peopling the wilderness with prosperous and civilized communities, of which they one day might form a part.

I have, &c.
F. W. CHESSON,
Secretary.

No. 20.

No. 20.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 13.)

SIR,

Downing Street, September 2, 1858.

I HAVE to acquaint you that the Society for the Propagation of the Gospel propose to send one or two Missionary Chaplains to British Columbia, with as little delay as possible, and that the first of these clergymen will probably proceed to the Colony by the freight ship appointed to sail on the 15th proximo.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 21.

No. 21,

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 14.)

SIR,

Downing Street, September 2, 1858.

Enclosure.

I TRANSMIT to you herewith, for your information, the copy of a letter which I have addressed to Colonel Moody on the subject of granting land, on certain conditions, to the non-commissioned officers and men of the Royal Engineers who are now going to British Columbia.

2. I take this opportunity of instructing you to report to me your opinion whether it would be desirable for the interests of the Colony to grant remissions on the purchase of land to retired officers of the Army and Navy, as was formerly the custom in many of the British Colonies. Care might be taken, if ever Representative Institutions are established in the Colony, and arrangements are made for securing a Civil List in return for the lands of the Crown, that the privileges I suggest should, for a certain length of time at least, be secured to military settlers. You will report to me your careful and deliberate views upon this subject.

3. You will furnish me, at your early convenience, with a list of such officers for Civil situations, together with the rates of pay which you think they should receive, as the circumstances of the Colony shall, in your opinion, render it desirable for me to send from England. I shall be happy to assist you to the best of my ability in making proper selections; for I think that, considering the great number of foreigners who are resorting to British Columbia, it is on every account proper to give encouragement to Englishmen of character and respectability to go out to the Colony.

4. You will report to me officially, by each successive mail, and by every safe opportunity that presents itself, on all matters of interest and importance to the Colony. At

present Her Majesty's Government only receive such accounts through the newspapers, or through the courtesy of the Hudson's Bay Company and private individuals.

BRITISH
COLUMBIA.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure in No. 21.

Enclosure
No. 21.

SIR,

Downing Street, September 1, 1858.

IN case there should be any misunderstanding as to the suggestions of the Inspector-General of Fortifications, that the non-commissioned officers and men of the Royal Engineers who are going out to British Columbia should receive grants of land, Secretary Sir Edward Lytton directs me to state that he is willing, and the Governor shall be instructed accordingly, that the men should be allowed such grants of agricultural, not mining land, not exceeding 30 acres each, after 6 years' continuous good faithful service in British Columbia, on condition of residence and military service within the Colony, if called upon.

I am to suggest to you that it might be advisable, with the concurrence of the Governor, to locate the men, if they should be located at all, along the frontier, or in the neighbourhood of future naval and military posts.

Sir E. Lytton will send a copy of this letter to the Secretary of State for War, for his information, as well as to the Governor, with whom you will confer on this subject.

Colonel Moody, R.E.
&c. &c.

I have, &c.
(Signed) CARNARVON.

No. 22.

No. 22.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 16.)

SIR,

Downing Street, September 2, 1858.

IN addition to what is contained in my Despatch transmitting you the Order in Council for the Government of British Columbia, your Commission and Instructions, and the Instrument revoking the exclusive licence of the Hudson's Bay Company in British Columbia, I wish to address you a few words on the legal position which you now fill, and the nature of your immediate duties.

Your first duty will be to proclaim the Act of Parliament under which British Columbia was to be governed. This Act has already been sent you, and without any express directions as to the manner and time of making it known. Probably you have already made it public; but I apprehend that no legal proclamation of it, so as to give its provisions effect, could take place until you were yourself commissioned as Governor. The formal proclamation of it must therefore be made as early as possible.

According to the opinion of lawyers in general, the colonists of a territory circumstanced like British Columbia carry with them the law of England, so far as it is applicable to their circumstances. Acts, therefore, done in accordance with the law of England, will be substantially legal, although done before any regular authority was constituted there. But your own special authority to make regulations, or enforce them, for the preservation of peace and order, could only be created by the act of the Crown, and cannot commence until you receive their commission; you will therefore have, doubtless, been compelled by the necessity of the case to perform many acts, in accordance with the spirit of your instructions from myself, and my predecessors in this Department, but for which strict legal authority was wanting. It will be necessary to cover these by a Proclamation, having force of law, under the power with which you are invested, to indemnify yourself and those who have acted under your authority from legal proceedings.

You are therefore authorized to issue two Proclamations, of the same date with your assumption of the Government.

The one, which is rather matter of solemn form than of absolute necessity, to declare the law of England prevalent throughout the Colony, subject, of course, to your own power of modifying it by laws enacted by yourself when absolute necessity requires.

The other, to indemnify yourself and your subordinate officers in manner aforesaid.

I send you by the present mail forms of both these Proclamations, which you will be able to adapt to suit the exigencies of the case, if any change is required.

Enclosure 1.
Enclosure 2.

Almost the first point to which your attention will be directed will be the establishment of a Court or Courts of Justice, with the necessary machinery for the maintenance of law and order.

BRITISH
COLUMBIA.

Her Majesty has issued a Commission to Mr. Begbie, who will proceed by this or next packet, as Judge of British Columbia.

His title and duties have not been more particularly specified, because they must be defined by yourself, after consultation with him, by such law as you may enact providing for the administration of justice.

It will also be essential that you should constitute Juries; but as this is done by law in Vancouver's Island, you have a precedent ready at hand, and no further instructions are necessary from me.

Mr. Begbie has been fully instructed, that, although invested with the very important office of Judge, he will nevertheless have the kindness, for the present at least, to lend you his general aid for the compilation of the necessary laws and other legal business. This is the more proper duty of an Attorney-General; and, should the Colony advance, as seems at present possible, the services of such an officer will no doubt be urgently required. But I have not yet thought myself authorized to advise the Crown to appoint one, until I hear from yourself as to the civil functionaries best adapted to the present requirements of the Colony. I trust to receive your suggestions by the first opportunity. From such intelligence as has reached me of the state of things in California, I have been led to believe that it would be of great service if the rights of miners could be briefly established and defined beforehand by law, instead of being left to grow up by mere custom or accident. But this is not a subject on which I have the means of assisting you. Possibly you may find that such a body of regulations might be drawn up with the aid of a few intelligent persons selected from among the miners themselves, and in whom that body would have confidence.

With these few observations, I leave with confidence in your hands the powers intrusted to you by Her Majesty's Government. These powers are indeed of very serious and unusual extent; but Her Majesty's Government fully rely on your moderation and discretion in the use of them. You are aware that they have only been granted in so unusual a form on account of the very unusual circumstances which have called into being the Colony committed to your charge, and which may for some time continue to characterize it. To use them, except for the most necessary purposes, would be, in truth, to abuse them greatly. They are required for the maintenance of British law and British habits of order, and for regulating the special questions to which the condition and employment of the population may give birth. But the office of legislation, in the higher and more general sense, should be left for the Legislature which may be hereafter constituted, and which Her Majesty's Government hope will be constituted at the first time consistent with the general interests of the Colony. And you will above all remember that the ordinary rights and privileges of British subjects, and of those foreigners who dwell under British protection, must be sedulously maintained, and that no innovation contrary to the principles of our law can be justified, except for purposes of absolute and temporary necessity.

I will only add, that although it has been judged prudent not to make the revocation of the Hudson's Bay Company's licence take effect until proclaimed by yourself, it is the particular instructions of Her Majesty's Government that you proclaim it with the least practicable delay, so that no questions like those which have already arisen as to the extent and nature of the Company's rights can possibly occur.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure 1 in
No. 22.

Enclosure 1 in No. 22.

PROCLAMATION, having the Force of Law, to declare that English Law is in force in British Columbia.

WHEREAS by an Act of Parliament passed in the Session held in the 21st and 22d years of Her Majesty Queen Victoria it was enacted, that the territories therein described should be comprised within the Colony thereby created of British Columbia; and it was further enacted, that on the proclamation of the said Act in British Columbia certain Acts which were passed in the 43d year of His late Majesty King George the Third and in the second year of His late Majesty George the Fourth, and by which the law of Upper Canada was extended to certain parts of America therein mentioned, should cease to have force in the said Colony of British Columbia, or to be applicable thereto:

And whereas such proclamation of the said first-mentioned Act was duly made on the day of last:

And whereas by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland Her Majesty was pleased to appoint James Douglas to be Governor of British Columbia, and

to authorize the said James Douglas, by Proclamation issued under the Great Seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government thereof :

BRITISH
COLUMBIA.

It is therefore hereby enacted and proclaimed by the Governor of British Columbia, that the Civil and Criminal Laws of England, as the same existed at the [date of the said proclamation of the said Act], and so far as they are not from local circumstances inapplicable to the Colony of British Columbia, are and will remain in full force within the said Colony till such time as they shall be altered by Her said Majesty in Her Privy Council, or by me, the said Governor, or by such other Legislative Authority as may hereafter be legally constituted in the said Colony, and that such laws shall be administered and enforced by all proper authorities, against all persons infringing and in favour of all persons claiming protection of the same laws.

Enclosure 2 in No. 22.

Enclosure 2 in
No. 22.

PROCLAMATION, having the Force of Law, to indemnify the Governor and other Officers for Acts done before the Establishment of any legitimate Authority in British Columbia.

WHEREAS large numbers of Her Majesty's subjects and others have resorted to and settled on the territory now comprised within the limits of this Colony, before the establishment of any settled form of Government therein, and it has been necessary to take steps for the establishment and maintenance of peace, order, and good government, and for the protection of the rights of Her Majesty, and for the collection of a Revenue from lands belonging to Her Majesty, some of which steps may not have been fully authorized in point of law: And whereas, by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, Governor of the Colony of British Columbia, have been authorized, by Proclamation issued under the Great Seal of the Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same.

Be it therefore known to all whom it may concern, That I, the said James Douglas, Governor of British Columbia, do hereby, in virtue of the authority aforesaid, enact and proclaim that every act, matter, or thing *bonâ fide* done and performed for any of the purposes aforesaid before the date of this Proclamation, by me, the said James Douglas, or by any other person or persons acting under my authority or direction, shall be deemed to be and to have been valid in law; and that I, the said James Douglas, and the said other persons, shall be and hereby are severally and jointly indemnified, freed, and discharged from and against all actions, suits, prosecutions, and penalties whatever in respect of any such act, matter, or thing, and that the same shall not be questioned in any of Her Majesty's Courts of Civil or Criminal Jurisdiction in this Colony.

And I do further enact and proclaim, that any declaration in writing under the hand of the Governor or officer administering the Government of British Columbia to the effect that any act, matter, or thing specified therein was done or performed for any of such purposes or under any such direction or authority as aforesaid, shall, for the purposes of this Proclamation, be conclusive evidence of the matters stated therein, and shall be a sufficient discharge and indemnity to all persons mentioned in the said declaration, in respect of the act, matter, or thing specified therein.

No. 23.

No. 23.

COPY of DESPATCH from the Right Hon, Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 17.)

SIR,

Downing Street, September 2, 1858.

I SEND for your information copy of correspondence between this Department and the Foreign Office, touching certain queries addressed to Her Majesty's Minister at Washington by the Secretary to the Pacific Mail Steam Packet Company.

Enclosure
Enclosure 2.

I have, &c.

Governor Douglas,
&c. &c.

(Signed) E. B. LYTTON.

Enclosure 1 in No. 23.

[Enclosure 1 in
No. 23]

SIR,

Foreign Office, July 26, 1858.

I AM directed by the Earl of Malmesbury to transmit to you herewith, to be laid before Secretary Sir Edward Bulwer Lytton, a copy of a Despatch from Her Majesty's Minister at Washington, enclosing a copy of a letter addressed to him by the Secretary to the Pacific Mail Steam Packet Company on the subject of the jurisdiction of the Hudson's Bay Company.

Sub-Enclosure

I am, &c.

Herman Merivale, Esq.,
&c. &c.

(Signed) E. HAMMOND.

BRITISH
COLUMBIA.

Sub-Enclosure to Enclosure 1 in No. 23.

MY LORD,

Nalant, near Boston, July 12, 1858.

The accompanying letter has been addressed to me by Mr. W. Hodge, a respectable gentleman at Washington, on behalf of the Pacific Mail Steam Ship Company of New York, who desire to establish regular steam communication between California and Her Majesty's Possessions north of the 49th parallel.

I have not assumed the responsibility of giving an official answer to questions involving the jurisdiction of the Hudson's Bay Company, a subject with which I am imperfectly acquainted. I have reserved these inquiries for the consideration and decision of Her Majesty's Government.

Your Lordship has, probably, been informed from another quarter of the discovery of gold deposits in the basin of Fraser's River, and of the rush of labourers to this new field of enterprise.

Should the reports of mineral wealth in the British territory prove to be well founded, a turbulent and adventurous population will shortly be collected, ill disposed to submit to the authority of the Hudson's Bay Company, and impatient to possess a share at least of those rights of property and self-government which they have exercised in their previous places of abode.

The influx of consumers will be attended by the development of traffic, and the citizens of the neighbouring states will see with reluctance the profits of trade monopolised by a British corporation, though, I doubt not, those exclusive rights would be exercised liberally for the benefit of an improvident community.

Finally, the immigration of large bodies of armed and reckless men can hardly fail to produce collisions with the Indians, and to be accompanied by injustice to that people, who have been reconciled to the Government of the Company by a long course of judicious treatment.

Should the abundance of precious metals fall below expectation, still the present emigration will probably lay the basis of an agricultural state, and open the country to progressive settlement.

In either case, it is apparent that the British Possessions cannot long be maintained as a preserve for the trade in furs, and that the jurisdiction of the Company must be dissolved, or restricted to regions less susceptible of profitable culture. * * * * *

The Earl of Malmesbury,
&c. &c.I have, &c.
(Signed) NAPIER.

MY LORD,

Washington, July 2, 1858.

I AM requested by the President of the Pacific Mail Steam Ship Company to obtain the following information, viz:—

1. What Revenue powers are granted to the Hudson's Bay Company by the British Government, and what reserved by the Government?

2. Are there any privileges or facilities granted by the treaty stipulations or otherwise to American vessels in the ports of Vancouver's Island and the British Possessions on the Pacific?

3. Is there any other British port of entry besides "Victoria" on Puget's Sound, and what are the port charges and tonnage dues?

4. What regulations, if any, could be made in favour of a line of American steamers regularly running between the ports of California to Esquimalth or Fisgard, a good harbour near Victoria, which latter is a poor one?

5. Are there any difficulties in American steamers touching regularly at Esquimalth, and who has jurisdiction there, the British Government or the Hudson's Bay Company?

The above is a rich and powerful Company, having 12 or 15 fine steamers in the Pacific, and have the contract for carrying the mails of the United States from Panama to San Francisco, and from the latter place to Oregon and Washington.

Their object is, if circumstances admit of it, to establish at once a regular line of steamers between California and the British Possessions to the northward, including Vancouver's Island, than which, probably, nothing would tend more rapidly to develop the resources and increase the population of these territories.

I shall feel obliged by any information your Lordship can give me on the above points, so far as you feel at liberty to do so.

The Lord Napier,
&c. &c.I have, &c.
(Signed) WM. HODGE.

Enclosure 2 in No. 23.

Sir,

Downing Street, August 25, 1858.

Enclosure 2 in
No. 23.

I AM directed by Secretary Sir E. B. Lytton to request that you will inform Lord Malmesbury that the following answers may be given by Lord Napier to the queries addressed to him by the Secretary to the Pacific Mail Steam Packet Company, on the affairs of British Columbia, as communicated in your letter of the 26th ultimo.

1. The Hudson's Bay Company have power over the Land Revenue of Vancouver's Island, under the restrictions imposed by their grant of the island. They have no other Revenue power of any kind.

2. The stipulations contained in treaties can be ascertained by the querists; but Sir E. Bulwer Lytton is not at present aware of any such privileges or facilities as are suggested.

3. This Department has no information of there being any British port of entry in Vancouver's Island besides Victoria, nor of any port charges or tonnage dues which may be levied there.

4. No regulations could be made in favour of any American line of steamers, as against and excluding any British line; but to impose such general regulations as may be found advisable must be left to the local authorities, subject to the approval of Her Majesty's Government.

5. This Department is not aware of any difficulties against American steamers touching at Esquimalt. The Hudson's Bay Company have the ownership of the soil at Esquimalt, but the Legislative and Executive powers belong to the local Government of Vancouver's Island.

I am, &c.

E. Hammond, Esq.
&c. &c.

H. MERIVALE.

No. 24.

No. 24.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(Separate.)

SIR,

Downing Street, September 2, 1858.

FROM information which has just reached me from the Lords Commissioners of the Admiralty, in a report sent by Captain Richards, it would seem desirable to appoint, if you have not already done so, Gold Commissioners armed with the powers of magistrates. I submit this suggestion to your local experience, and I feel that it must be unnecessary to add the self-evident caution, to form at once a Police at the diggings.

You will long ere this have received instructions not to close Fraser's River, nor arrogate for the Hudson's Bay Company privileges of exclusion which they did not really possess, and which will no longer be subjected to the misunderstanding which I regret to have observed.

I have, &c.

Governor Douglas,
&c. &c.

(Signed) E. B. LYTTON.

No. 25.

No. 25.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 20.)

SIR,

Downing Street, September 16, 1858.

I HAVE received your Despatch of the 26th July,* No. 31, with its enclosures, reporting the public measures which you have adopted for the Government of British Columbia since the 1st July.

* Page 22.

It affords me much satisfaction to signify to you generally the continued approval by Her Majesty's Government of your proceedings in the difficult position in which you have been so unexpectedly placed; but there are a few points mentioned in your Despatch on which it is necessary that I now should touch.

First, however, I request that you will convey to the officers commanding Her Majesty's ships "Satellite" and "Plumper" my best acknowledgments for the cordial and practical assistance which they have rendered to you on all occasions, and express my persuasion that they will continue to afford the same whenever the service on which they are engaged will admit of their so doing.

2. I notice with regret, though not with surprise, that boats, &c. have ascended Fraser's River without a Customs' permit, or the prepayment of the regulated mining fee. It is certainly much to be desired that you possessed a force adequate for the protection of the Revenue laws of the country, but it is totally impossible for Her Majesty's Government to provide you with such a force from England. The most that we can do is, to supply you with suitable and well-recommended public officers, whose experience and capability will enable them to assist you in raising a force in the Colony itself, capable of preserving order, and causing the law to be obeyed. On this point I have to observe, that for the infraction of the Revenue Laws, and for all ordinary purposes, the use of military force, even if this country were able to supply it, is full of danger, and better not resorted to unless in case of absolute necessity.

3. As to the "lawless intrusion of foreign ships and people into Fraser's River," if I correctly understand this expression, you will have received such definite instructions

BRITISH
COLUMBIA.

• Page 42.

from me that it leaves me nothing to add on this point, unless it be to refer you particularly to my Despatch of the 16th July, No. 4.*

4. I have to make the same observation with respect to your statement, that you have endeavoured to protect the trading rights of the Hudson's Bay Company, as by law established. Those rights never existed to the extent which you appear to have supposed, and by the time this Despatch reaches you they will have ceased altogether, if the instrument forwarded to you for that purpose has been put into operation, as I trust it has, without delay.

5. I entirely approve the course you are following with respect to applications for Crown land, and for the prevention of Squatting. The party of Royal Engineers which has been despatched to British Columbia will relieve you from much anxiety on this score, as they will immediately on their arrival proceed to survey and lay out lands for sale and occupation.

6. I approve your nomination of Messrs. Travillot and Hicks to be Assistant Commissioners of Crown lands at Thompson's River and Fort Yale, also of Mr. William Henry Bevis to be Revenue officer at Fort Langley.

* Page 47.

7. In an earlier Despatch, No. 8, of the 14th August,* I mentioned my intention of selecting a Collector of Customs for British Columbia.

I have now to state that I have appointed Mr. Wymond Hamley to this office, with a salary of 400*l.* per annum. He will proceed in the "Thames City" in the course of a few days. With respect to offices generally, which the public exigencies may compel you to create, and for which selections should be made in England, I have to observe that I consider it of great importance to the general social welfare and dignity of the Colony that gentlemen should be encouraged to come from this Kingdom, not as mere adventurers seeking employment, but in the hope of obtaining professional occupations for which they are calculated, such, for instance, as Stipendiary Magistrates or Gold Commissioners. You will, therefore, report to me, at your early convenience, whether there is any field for such situations, and describe as accurately as you can the peculiar qualifications which are requisite, in order that I may assist you by making the best selections in my power. It is quite natural that the servants of the Hudson's Bay Company should, from their knowledge of business, their abilities and services, have a very fair claim to consideration and share in the disposal of the local patronage. But caution should be observed against yielding to any appearance of undue favour or exclusiveness to the servants of that Company. You will carefully remember that the public interests are the first consideration; and that it should be known that employment in the public service is as open and fair in British Columbia as in every other of the Queen's Colonial Possessions. For these reasons it is still more desirable that careful appointments should be made in England.

8. I have to thank you for the newspaper from Victoria. It furnishes useful and interesting intelligence, and I shall be glad if you will occasionally transmit to me any other newspapers which contain matter worthy of attention. You will not fail to write to me fully by each mail, as Her Majesty's Government wish to know every thing that passes of importance in British Columbia.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 26.

No. 26.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 22.)

SIR,

Downing Street, September 23, 1858.

* Page 53.

REFERRING to my Despatch, No. 7. of the 2d instant,* I have the honour to transmit to you herewith a Warrant under the Royal Sign Manual, authorizing you to pass Letters Patent under the Public Seal of British Columbia appointing Colonel Moody to be Chief Commissioner of Lands and Works.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 27.

COPY of a DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

BRITISH
COLUMBIA.

No. 27.

(No. 25.)

SIR, Downing Street, September 24, 1858.

You will have observed that the Letters Patent which appoint you to be Governor of British Columbia contemplate the appointment also of a "Lieutenant-Governor" or other officer commissioned by Her Majesty to administer the Government of the Colony in the event of your "death, incapacity, removal, or absence from the said Colony."

The position and experience of Colonel Moody point him out as the most fitting person to hold the dormant Commission of Lieutenant-Governor, and I have accordingly advised Her Majesty to confer that appointment upon him.

I enclose for your information copy of the Commission which has been given to Colonel Moody.

I have, &c.

Governor Douglas,
&c. &c.

(Signed) E. B. LYTTON.

No. 28.

No. 28.

COPY of a DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 29.)

SIR, Downing Street, October 11, 1858.

WITH reference to my Despatch No. 4. of the 2nd ultimo, I have to inform you that Mr. Begbie's salary as Judge of British Columbia is fixed at 800*l.* per annum, payable from the Revenues of the Colony.

I have, &c.

Governor Douglas,
&c. &c.

(Signed) E. B. LYTTON.

No. 29.

No. 29.

COPY of a DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(Confidential.)

SIR, Downing Street, October 14, 1858.

I HAVE to acknowledge your Despatch of the 30th of August, enclosing copies of the regulations issued for the management of the Gold Fields, and a Proclamation establishing Harbour Regulations, &c.

The latter I have transmitted to the Lords of the Committee of Privy Council for Trade, with a view of obtaining their Lordships' opinion; but the former relate to so important a branch of the administrative duties with which you are now charged, that I prefer very briefly calling your attention to some points which have suggested themselves to me, rather than postpone all communication on the subject till the next mail.

I am sensible of the difficulty of criticising in England the details of those regulations which, from an experience of local circumstances and requirements, you have laid down for the guidance of the Gold Commissioners and miners in British Columbia.

I feel also that rules which have been established in the Australian Colonies with good effect may be qualified by conditions in North America, which from a necessarily limited information on the subject I am unable to take into account. I am not, therefore, prepared to give you any definite instructions, or to insist upon any modifications which at first sight might seem desirable.

But whilst, therefore, on these grounds, and from a reliance on your judgment and discretion, I am desirous of giving you full freedom of action, I feel it right to place before you the impressions made upon me by a perusal of your regulations for the gold fields.

BRITISH
COLUMBIA.

On the Instructions to the Assistant Gold Commissioners and to the Police I have no objection to offer. They appear to me in both cases to meet the objects which are to be had in view.

Taking, however, first, into consideration the rules prescribed in the case of alluvial gold, the regulations provide that licences at 21s. per month shall be taken out by each miner, such licences conferring a claim to the following spaces, viz., 25 feet of the bank of the river, 25 feet of each bank of a creek or ravine, or 20 square feet of table land.

Such arrangements may be on the whole most congenial to the dispositions of the American miners whom you may have to consider; but I cannot forget that it was the system of enforcing from time to time the licence fee which created in Victoria so much dissatisfaction, and ultimately led to the Ballarat riots, and to the adoption of new rules. The Victorian system was in the main the same as that which you have apparently adopted. It exacted a licence fee of 1*l.* from each miner per month, and, as Sir Charles Hotham says, in a Despatch of 21st November 1855 to Sir William Molesworth, "The great and primary cause of complaint which I found was undoubtedly the licence fee."

"Every miner was required to produce at a moment's notice the licence which authorized him to dig. No excuse was admissible. Theoretically, nothing could be more just than that the man who profited by the gold should pay a proportion to the Crown for the right of extracting it, but practically nothing could be more unsound." * * *
* * * "Even if he were rich enough to pay it, he often could not spare the time to go to the Government Office and obtain his licence. Thus a general antipathy to the licence system was engendered, and men's minds prepared for any measure which might wash away the annoyance." It was then decided that the monthly licence fee should be abolished, and be replaced, independently of royalties, first, by a miner's annual certificate of 1*l.*; secondly, by the payment of 10*l.* per annum on every acre of alluvial soil; and, thirdly, by an indirect tax in the shape of 2s. 6*d.* export duty on the ounce of gold.

Experience seems, as far as we yet know, to have justified this change in Victoria. Discontent, with its attendant dangers, has been removed, and by the present system, which appears to be acquiesced in by all parties, a larger revenue is obtained than ever was the case under the earlier arrangement. I observe, indeed, by the last Victorian returns for 1856, that the duties on the export of gold amounted to more than 376,000*l.*

It is, I doubt not, expedient to maintain a distinction between the search for gold in alluvial soil and its extraction by means of machinery from quartz rocks, and I conclude that the object which you have mainly had in view in your regulations on this branch of the subject has been to attract men of capital to the Colony. At the same time, I would request you to consider again with care the expediency of requiring so large a sum as 2,000*l.* security from any individual entering upon this particular field of speculation.

In Victoria, the royalty is not to exceed one-twentieth of the gross produce, instead of being as high as one tenth, and the payment exacted from the miner (1*l.* per yard) is probably less felt, and more remunerative in the long run, as it is in proportion to the work which he achieves, than would be the introduction of capital to the extent of 2,000*l.*, which it must be further borne in mind is nugatory if subsequently invested in other objects of speculation, and burdensome to the individual giving the security if it is to lie idle.

I do not question the correctness of your decision in assigning three years as the period when such licence must be renewed, though there might be cases where the erection of expensive machinery would require some latitude to be allowed in enforcing the rights of the Crown; but the condition that 20 men shall be simultaneously employed upon the claim is one which, under certain circumstances, might press somewhat hardly upon the miner.

The seizure as Crown property of gold of any kind which has been procured without due authority is a question the propriety of which would be governed by the particular circumstances of the case, and the means possessed by the local functionaries for enforcing the rule.

I observe with satisfaction the foundations laid in these regulations for the creation of local tribunals, the attributions of which will enable them either to dispense a ready and simple justice, or to settle disputes by an arbitration on the spot and accessible to all.

I have, &c.

Governor Douglas,
&c. &c.

(Signed) E. B. LYTTON.

No 30.

COPY of a DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

BRITISH
COLUMBIA.
No. 30.

(No. 30.)

SIR,

Downing Street, October 16, 1858.

I HAVE to acknowledge the receipt of your Despatch No. 34., dated the 19th of August,* containing further reports of the progress of affairs in British Columbia, and urging the importance of your being provided with a military force. The information which this Despatch affords me as to the amount of military aid which you consider would be sufficient to enable you to provide for the maintenance of order amongst the large population which is being so rapidly attracted to the country by the reports of its auriferous wealth induces me to recapitulate to you the steps which I have taken to support your authority, and to explain to you the considerations by which I have been influenced in the various measures I have adopted to aid you in the arduous task of organizing the Government of the Colony.

* Page 27.

2. I trust that long ere this date your anxiety with respect to the presence on your coasts of an adequate naval force will have been allayed. Even before the Act which constituted British Columbia into a Colony had received Her Majesty's assent, I had urged upon the First Lord of the Admiralty the necessity of sending a frigate or man-of-war for the preservation of order in that district. In consequence of my representations the Lords of the Admiralty directed that Her Majesty's ships on the Pacific Station should be reinforced, and instructed Admiral Baynes (since the time at which he addressed to you the letter that you have forwarded to me with your present Despatch) that the presence of a force in your waters was to be considered by him as a more pressing and important service than any other on his Station. By the last advices I was informed that Admiral Baynes would himself leave Callao for Vancouver's Island on the 28th of August, in his flag ship the "Ganges." He will, therefore, have arrived at the Island long since; and I confidently rely upon the Admiral, according to his Instructions, providing for all adequate naval support to this important part of Her Majesty's Dominions. Indeed the First Lord of the Admiralty assures me, in reply to a letter I addressed to him, that Admiral Baynes "will be followed as quickly as possible by two frigates from China," adding, "this was the quickest mode of reinforcement we could possibly adopt, and in one case I sent a new captain overland to take the command of a ship in China which had become vacant, and proceed at once to the Pacific." I request that you will report to me what vessels at the time this Despatch is received may be actually in your harbour designed for the special support of the Civil Government; and should you deem a still larger force to be requisite for the purpose, your representation to that effect shall have my immediate attention.

3. With regard to your demand for a military force, it is gratifying to me to learn, from your statement that "the affairs of the Government might be carried on smoothly with even a single company of infantry," that I had anticipated and indeed exceeded your requirements, by directions given at the earliest moment for sending to the Colony a party of 150 Royal Engineers. The superior discipline and intelligence of this force, which afford ground for expecting that they will be far less likely than ordinary soldiers of the line to yield to the temptation to desertion offered by the gold fields, and their capacity at once to provide for themselves in a country without habitation, appear to me to render them especially suited for this duty, whilst by their services as pioneers in the work of civilization, in opening up the resources of the country, by the construction of roads and bridges, in laying the foundations of a future city or seaport, and in carrying out the numerous engineering works which in the earlier stages of colonization are so essential to the progress and welfare of the community, they will probably not only be preserved from the idleness which might corrupt the discipline of ordinary soldiers, but establish themselves in the popular goodwill of the emigrants by the civil benefits it will be in the regular nature of their occupation to confer.

4. I regret that this force has been delayed in its departure, notwithstanding the unceasing care and pains I have devoted to the hastening of the necessary preparations; but owing to arrangements with the different Departments of Government, the necessity for due care in the selection of the officers and men for the expedition, and the time required for preparing the vessels for sea, a delay unavoidably occurred that must have caused you an anxiety in which I fully sympathized. Instalments, however, of the force, consisting of twenty and twelve men respectively, under Captain Parsons and Captain

BRITISH
COLUMBIA.

Grant, were depatched to the Colony *via* Panama, on the 2nd and 17th of September. With the first of these detachments I forwarded your Commission as Governor, having immediately on the return of the Queen from the Continent obtained Her Majesty's signature, and taken your Commission myself on board the vessel in which the instalment of Engineers under Captain Parsons sailed from Southampton. I am glad to be able now to inform you that the "Thames City" has recently left England, having on board 119 men of the expedition. This vessel will be followed in a few days by the "Briseis," laden with stores, &c. belonging to the party; and a small number of men and some additional stores will be sent in the "Euphrates," which is expected to sail in about a month's time. Colonel Moody, who commands the expedition, will proceed to British Columbia *via* Panama on the 30th instant, to be in readiness to receive the main body of Engineers on their arrival.

5. Having thus reviewed the military assistance which I have afforded to you, it only remains for me to indicate the policy to be observed in its employment, and particularly to explain to you more fully the objections which I pointed out in my recent Despatch, No. 20. of the 16th ultimo,* to the use of this force in the collection of revenue.

* Page 65.

6. The employment of a royal military force for the purpose of compelling the payment of taxation would in itself be undesirable, and fraught with danger, even in ordinary cases and amidst the most docile population. And it seems to me that objections to such an employment are still stronger in the case of an impost like a licence for gold digging, which would become so odious as to necessitate abandonment if it led to disputes between the adventurers and the military, which might terminate in bloodshed and loss of life. A military force should be considered primarily as intended for the purpose of resisting foreign aggression. Its employment in the internal control of the community must be regarded as strictly subsidiary to the ordinary means of enforcing obedience to the orders of the civil power, and should be resorted to only when those means have, through unexpected circumstances, been found insufficient. The Governor of the Colony should on these principles use every endeavour to render the authority of the Civil Government independent of his military force, and thus be in a position to feel the full advantage of the moral support which the military afford to legitimate authority in proportion to the rarity of their interference. On the other hand, nothing is so important to the peace and progress of the Colony as a well-organized and effective Police; and I find that a Police is always feeble in Colonies that have been accustomed in every disturbance to rely upon soldiers. It is by the establishment of this Civil Constabulary, with a sufficient staff of Stipendiary Magistrates, that I would wish the Colonists to co-operate with the Government in the requisite protection to life and property. Hence I have sent to you the most experienced and trustworthy person I could select amongst the Irish Constabulary (a body of men peculiarly distinguished for efficiency), to serve as Inspector of the Police, and to carry out your Instructions for the formation of a civil force of that character.

You will not, however, suppose from the above observations that armed force, where required for its legitimate duties, will fail to the defence and security of this new part of Her Majesty's Dominions. A naval display of the protection that Great Britain affords to the settlers is, no doubt while I write, already in your harbour, and in sending to you a military force more than that which you state as sufficient I have to add, that should the chance of collision with the Indians, or other elements of danger, need in your judgment additional reinforcements, and you can discern the means by which mere soldiers of the line can be kept from desertion and rendered securely serviceable, your wishes will not fail to meet with earnest and ready consideration.

7. Colonel Moody, however, agrees with me in assuming that, in a population of gold diggers, there will be always enough disappointed adventurers in the prime of life who would enlist at need under the British Flag; and that, having secured able officers, recruits could thus be raised on the spot, more rapidly and economically than military aid could be sent to you from England. With this view (on the correctness of which I should be glad of your opinion) I have sent to you, under Colonel Moody, a few practised and skilful men for cavalry and artillery drill, who are intended to form a nucleus and framework in the Colony itself for such additional military force as may be required.

8. It is my object to provide for, or to suggest to you how to meet, all unforeseen exigencies in the Colony as they may arise; but my views are based on the assumption that the common interest in life and property will induce the immigrants to combine amongst themselves for ordinary purposes, and that, when danger needing military force arises, they will readily gather round and swell the force, which will thus expand in proportion as circumstances require. From England we send skill and discipline; the raw

material (that is the mere men), a Colony intended for free institutions, and on the borders of so powerful a neighbour as the United States of America, should learn betimes of itself to supply.

9. With the scanty information which Her Majesty's Government possess of the nature of the climate of British Columbia in the winter, in the absence of any experience as to the amount of population which may remain during that season at the diggings, they are unable to judge what degree of activity in mining operations may then prevail, what consequently may be the chance during the winter months of armed frays or collisions, and to what extent Revenue and Colonization may be then making progress. But they are led to anticipate that in the winter there must be that pause in immigration and its concomitant difficulties which may allow the preliminary settlement of questions of law and police, and enable you to communicate to them the probable wants and probable resources of the Colony; so that when, at the return of spring, immigration and activity recommence, all suitable preparations may have been made, and the safety and development of the Colony fully and deliberately provided for. It will be very essential, for this purpose, that you should instruct Her Majesty's Government by the best conjecture that you may be able to arrive at, of the probable Revenue on which to calculate; since, in proportion to that Revenue, must be the rapidity with which the Home Government can aid in the growth of the Colony.

10. Referring to the laudable co-operation in the construction of the road which has been evoked by your energy from the good sense and public spirit of the miners, I rejoice to see how fully that instance of the zeal and intelligence to be expected from the voluntary efforts of immigrants, uniting in the furtherance of interests common to them all bears out the principle of policy on which I designed to construct a Colony intended for self-government, and trained to its exercise by self-reliance. The same characteristics which have made these settlers combine so readily in the construction of a road will, I trust, under the same able and cheering influence which you prove that you so well know how to exercise, cause them equally to unite in the formation of a Police, in the establishment of law, in the collection of Revenue, in short, in all which may make individual life secure and the community prosperous. I trust you will assure the hardy and spirited men who have assisted in this preliminary undertaking how much their conduct is appreciated by Her Majesty's Government.

11. I feel thankful for the valuable services so seasonably and efficiently rendered by the "Satellite" and "Plumper."

12. I cannot conclude without a cordial expression of my sympathy in the difficulties you have encountered, and of my sense of the ability, the readiness of resource, the wise and manly temper of conciliation, which you have so signally displayed; and I doubt not that you will continue to show the same vigour, and the same discretion in its exercise; and you may rely with confidence on whatever support and aid Her Majesty's Government can afford to you.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 31.

No. 31.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

SIR,

Downing Street, October 16, 1858.

THOUGH I think that you must be in complete possession of my views in respect to the employment of the Royal Engineers, who have been despatched to British Columbia, I desire, nevertheless, and for fear of any possible misunderstanding on your part, to mention that to Colonel Moody and his men do I look for the performance of all the surveying duties in the Colony, and therefore to caution you against accepting the services of other Surveyors or assistants, whose employment would add so much to the heavy expenses which the Colony at its outset is called upon to defray.

I have, &c.
(Signed) E. B. LYTTON.

Governor Douglas,
&c. &c.

BRITISH
COLUMBIA.
No. 32.

No. 32.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 32.)

SIR,

Downing Street, October 19, 1858.

Enclosure 1.
Enclosure 2.

I ENCLOSE for your information a copy of a letter from the Archbishop of Canterbury, announcing to me the munificent endowment offered by Miss Burdett Coutts for the foundation of a See in British Columbia, together with my reply to that communication.

I have, as you will perceive by the correspondence, gladly accepted this noble contribution to the cause of Christianity; and I rejoice to think that the service and ministrations of the Church will not be wanting to the early stages of Colonial life.

Governor Douglas,
&c, &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure 1 in
No. 32.

Enclosure 1 in No. 32.

SIR,

Lambeth, September 27, 1858.

I HAVE the honour to acquaint you, that in consequence of the importance which is likely to belong to the Colony of British Columbia, and the expediency of providing for the Spiritual Instruction of the population assembling there, Miss Burdett Coutts has empowered me to propose the appointment of a Bishop there, who may take the oversight of the Clergy, and superintend the religious interest of the country and people; and for that purpose she is prepared to furnish an endowment of the See to the amount of 15,000*l*.

I am in hopes that Her Majesty's Government may consider this so desirable a measure as to consent to the erection of the See.

The Right Honourable Sir E. Lytton, Bart.

I have, &c.
(Signed) J. B. CANTUAR.

Enclosure 2 in
No. 32.

Enclosure 2 in No. 32.

MY LORD ARCHBISHOP,

Downing Street, October 7, 1858.

I HAVE the honour to acknowledge your letter of the 27th ult., in which you inform me that Miss Burdett Coutts desires to devote the large sum of 15,000*l*. to the endowment of a Bishopric in the new Colony of British Columbia.

To lay the foundation of a Christian Church in all its completeness simultaneously with the establishment of a civil policy is a worthy system of colonization, in which, as your Grace rightly apprehends, Her Majesty's Government will gladly co-operate to the best of their ability, and will offer every facility for the erection of the new See. For my own part, as the Minister especially charged with the superintendence and administration of the new Colony, I would desire, through your Grace, to express to Miss Burdett Coutts the high and grateful appreciation which I entertain of this her latest, but not least munificent, contribution to the purposes of Christianity and civilization.

Of recent years, from various causes, the State has greatly departed from the ancient practice of supplementing by grants of land or money the requirements of the Colonial Church. That Church, in consequence, following the analogy of the freer system of self-government which has with happy effect been conceded to many of our Colonies, has thrown herself upon the voluntary efforts of her children, both abroad and at home; but the provision thus made for her Spiritual organization, if indeed less large in amount than it would have been had it been drawn from the ampler resources of the State, has been made in a spirit of self-sacrifice and devotion calculated to give permanent life and fixity to her teaching and Ecclesiastical system.

The best recognition of the present munificent endowment will be found in its leading the colonists of British Columbia to imitate the self-denial and zeal to which their church will owe her early and effective organization

Starting in her career under Episcopal guidance, and complete in all the parts of her system, that Church will commence her Missionary work with more than the usual promise of success. Her field of labour will undoubtedly be arduous. There must be many difficulties in the earlier stages of a society gathered from all parts of the world, and reflecting every variety of the human character; but thus constituted she will prove, I cannot doubt, not only a teacher, but a civilizer; not only a spiritual, but a social blessing, lending in the new world, as in the old, her direct and powerful aid to law and order, bringing education in her train, and reminding the adventurers and Colonists of British Columbia that it is the right use, and not the mere acquisition, of wealth which makes communities, as well as individuals, truly prosperous and happy.

I have, &c.
(Signed) E. B. LYTTON.

No. 33.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

BRITISH
COLUMBIA.
—
No. 33.

(No. 35.)

SIR, Downing Street, November 1, 1858.

WITH reference to my Despatch, No. 22, of the 23rd September*, I transmit herewith, for your information, a copy of the Instructions which I have addressed to Colonel Moody on the eve of his departure to assume his duties in British Columbia.

* Page 66.
Enclosure.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure in No. 33.

Enclosure in
No. 33.

SIR, Downing Street, October 29, 1858.

1. I THINK it will be for your satisfaction if I endeavour to reduce to writing, by way of General Instructions, the outlines of that policy for the new Colony of British Columbia which your services, I trust, will assist to develope.

My views as to the uses of a purely military force, in the commencement of a Colony like the present, I am happy to believe are in accordance with your own.

2. I would, at the earliest period, impress upon the Colonists the distinction between disorders arising from internal riot or disturbance, and the dangers that may threaten from foreign aggression.

3. In the first, it is not only the duty, it should be the pride, of a youthful and vigorous community to find means of defence within itself. The consciousness that it is compelled to do so engenders a brave and resolute spirit amongst the immigrants, and serves to bind man to man against turbulence and crime, by the sense of the common safety. I will even add, that where a society finds its best safeguard in the habitual reverence for law, and cannot, in every emergency, appeal to the armed force of the Parent State, a high moral tone of sentiment and opinion becomes silently formed, and even lawless and vehement natures are brought into the calm social compact by which the public interests mould the national character into respect for the laws that preserve hearths and property, and for the qualities that command others without the resort to force.

4. Nothing can be more likely to sap the manhood and virtue of any young community than the error of confounding the duties of soldiers with the ordinary functions of a police. Nevertheless, though soldiers do not constitute a police, there are few societies in which the authority of the civil power is not more respectfully obeyed where it is understood that against disorderly force there is always in reserve the unflinching aid of military discipline.

5. In a Colony like British Columbia, in which it is reasonable to assume that the first immigrants will be men too accustomed to danger to be daunted by the menace of force, but too eager for gold not to respect the means by which gold, when obtained, is secured to its owner, soldiers will be popular in proportion as the strength which they afford to law is tacitly felt rather than obtrusively paraded.

6. No soldiers are likely to be so popular as Royal Engineers; partly, let me hope, from their own military discipline and good conduct; partly from the very respectable class which they represent; partly from the civil nature of their duties in clearing the ready way for civilization. Thus, if not ostentatiously setting forth its purely military character, the force at your command will nevertheless, whenever occasion may need its demonstration, do its duty as soldiers no less than as surveyors. And I need not add that, should the Governor require your assistance in your military capacity, you will render it as freely as if no civil services were attached to your mission. But while the Colonists should be taught the necessity of providing against internal disturbance,—while they should learn to rally round the law, and create themselves the machinery for giving that law its ordinary effect,—on the other hand, they must not be left to suppose that against external aggression Great Britain would not render them the aid due to the dignity of her Crown, and the safety of her subjects in every part of Her Majesty's Dominions;—for wherever England extends her sceptre, there, as against the foreign enemy, she pledges the defence of her sword.

7. It will also be borne in mind that in a Settlement which is surrounded by savage tribes, while sound policy will dictate every effort to conciliate the goodwill and confidence of such uncivilized neighbours, and while humanity will shrink from the application of armed force against the aborigines wherever it can be avoided, yet some military

BRITISH
COLUMBIA.

strength and disciplined organization are essential preservatives to the settlers; and indeed a resort, when needed, to soldiers, well commanded, will be attended with far less loss of life, with actions far less sanguinary, than where the white man is left to defend himself against the red, without that decided superiority which is conferred by military skill over savage force. In such conflicts the want of discipline is the want of mercy.

8. You will hasten to inform yourself of the true social circumstances of the community thus neighboured by Indian tribes, and containing in itself adventurers of all nations, and will faithfully report to me your impressions as to the expediency of a greater or a different kind of military force sent from this country than that under your command, and the probability of keeping such a force free from desertion, and steadfast in discipline.

9. At present it is my belief, as I understand it to be your own, that additional military force as against Indian aggression, or for the preservation of order, could be most economically and effectively raised on the place itself and amongst the immigrant population, whether as volunteers or militia under British officers, for a limited period or in anticipation of any sudden danger. But I must submit the accuracy of that belief to your military and Colonial experience on the spot, in connexion with the advice of the Governor.

10. It seems, meanwhile, a good augury of the co-operation of the Colonists in all measures demanding public spirit, that miners themselves are constructing a road, of which seven miles are completed,—that they organized themselves into bands under leaders,—thus recognizing discipline as the element of success in all combined undertakings. Each miner thus employed deposited with the Governor 25 dollars as security for good conduct. I need not add, that a Governor who could thus at once inspire confidence and animate exertion must have many high qualities which will ensure your esteem, and add to the satisfaction with which you will co-operate with his efforts.

On this subject I am bound, in justice to both parties, to guard against any risk of misapprehension as to your respective duties and powers. Whilst I feel assured that the Governor will receive with all attention the counsel or suggestions which your military and scientific experience so well fit you to offer, I would be distinctly understood when I say that he is, not merely in a civil point of view, the first magistrate in the State, but that I feel it to be essential for the public interests that all powers and responsibilities should centre in him exclusively. Nothing could be more prejudicial to the prosperity of the Colony than a conflict between the principal officers of Government.

11. In reference to the Civil Department of your duties, your first object will be to commence the operations necessary for the land sales, by which the expenses of survey are to be defrayed. You will consult with the Governor as to the choice of sites for a maritime town, probably at the mouth of Fraser's River, and for any more inland Capital to which the circumstances of the territory will suggest the most appropriate site.

12. You will not fail to regard with a military eye the best position for such towns and cities, as well as for the engineering of roads and passes, or the laying the foundations of any public works.

Experience on the spot will best guide you as to the most economical distribution of the work by the force under your command. All that belongs to comprehensive survey and public works must belong to the labour of the Royal Engineers. But the ordinary fillings in of allotments for sale had better, perhaps, be executed by contract, and in order to prevent additional burthen on Colonial revenues, it would be well that the cost of survey in allotments be added to the price of them, and each individual thus purchase his land surveyed and cleared.

13. I need scarcely add, that it will be among your first cares to smooth the difficulties of communication by land and water. If you can at slight cost render the Fraser River navigable to a further extent than it is at present, you will direct your science to that object.

14. *Cæteris paribus*, it probably would be better to keep Vancouver and British Columbia under separate Governments; but geography and circumstance are imperious dictators, and control the theories by which, at a distance, we would map out commonwealths and restrict territorial divisions; and therefore I would have you thoughtfully consider both the safest and readiest modes of access to British Columbia from the Pacific, and the several relations between British Columbia and Vancouver's Island indicated by nature and probability.

15. You will further report upon any harbours which exist on any part of our coasts, or any natural facilities which exist for their construction.

16. You will remember that gold is not the only mineral in which British Columbia is said to be rich. You will examine and report to Her Majesty's Government upon all its other mineral productions.

17. You will ascertain the real value of the coal for all purposes of steam communication, both in British Columbia and Vancouver; not only its quality, but the easy working of its mines; whether the coal lies deep or near the surface; whether mining operations are likely to be impeded by much water, bearing in mind that in coal, as in all else, the product is to be estimated by the degree and cost of labour which the supply may necessitate.

18. In this, as in all the mineral products of those Districts, I entreat you to form the most dispassionate and careful judgment, and rather to own ignorance or doubt than ever to allow yourself to be misled by reliance on untested statements. The more ordinary resources of the Colony, in fisheries, in timber, in the various soils, and the extent of them, favourable to agricultural produce, will command your attention, and contribute materials to your reports.

19. With the United States of America so close on the frontiers of the Colony, and their citizens mingled amongst the immigrants; with the Indian tribes, not as yet unfriendly, nor indocile when kindly treated, but thievish by habit, and maddened by the least indulgence in ardent spirits; with a population of settlers in itself so varied and shifting in its character, I need not point out to you the grave necessity of impressing on your officers and men the duties of self-restraint, of forbearance, good temper, and the discretion which avoids provocation and offence.

I would commend to you emphatically the noble art of conciliating varieties of human kind, with the essential concomitants of dignity, sincerity, and firmness. This art, which is amongst the rarest and happiest attributes of statesmen in old societies, is comparatively easy, because more vitally necessary, to those who are called upon to aid in reducing to harmony and order the manifold elements of a new community.

20. I would especially have you use your influence with the men to abstain from drink in a country where intoxication is not unlikely to be a common vice, and by soldierly bearing and respectability of conduct to maintain the high character of that part of the English Army from which they are drawn.

21. You will come in contact with Germans, Frenchmen, Americans; with many who may, perhaps, have prejudices against English institutions and the English character. Most of these prejudices will vanish when they who entertain them are brought into familiar acquaintance with that union of energy and prudence, of the devotion to duty, which Englishmen so quietly blend with the attachment to freedom; and the spirit of loyalty, truth, and upright dealing, which signalize the brighter, and, I believe, the larger, portion of our national character and race. But if those qualities be common to all classes of our countrymen, at least they become more manifest and attractive when set forth with that courtesy, high breeding, and urbane knowledge of the world which dignify the English gentleman and the British officer; and I anticipate no small advantage towards stamping our native idiosyncracies on a Colony which may comprise so many foreigners, and promoting a high social standard of civilization, from the fact that yourself and your brother officers are amongst its practical founders, and cannot fail by the nature of the civil services you render to be brought into frequent and friendly communication with all classes of settlers.

22. I trust that you will work in perfect harmony with the Governor; and that his experience of the localities and of the character of the native population, with your own professional science, will combine to expedite the progress and develop the resources of the Colony.

23. You will not forget the caution I have so strenuously impressed on you in our conversations, viz., that it is a duty we owe to the Colony itself to hazard no large outlays and incur no unnecessary expenses until an adequate Revenue be raised and secured.

24. At the very sound of a Gold Mine avarice and extravagance awake together, and to all the suggestions of rational prudence there is the vulgar outcry, "the gold pays for all." Now as the mother country expects all Colonies not conquered nor founded for purely Imperial purposes to be self-supporting, and as in this Colony she has more than ordinary reason in its mineral resources to do so, nothing could be more unjust to the infant settlement, more retard its prosperity, or lay seeds of more fertile discontent, than to saddle it prospectively with any financial burthens, not needed for safety and healthful development, while its Revenues yet remain a matter of speculation.

25. It must be some time yet before immigrants will be permanently settled, Customs' duties, &c. regularly established, and land allotments sold to any considerable extent;

BRITISH
COLUMBIA.

and the cost of survey itself in the Colonial pay of the Royal Engineers, &c. is the heaviest and almost the earliest item to which the resources of the Colony should be devoted. All augmentations of the expense thus calculated should be sedulously avoided.

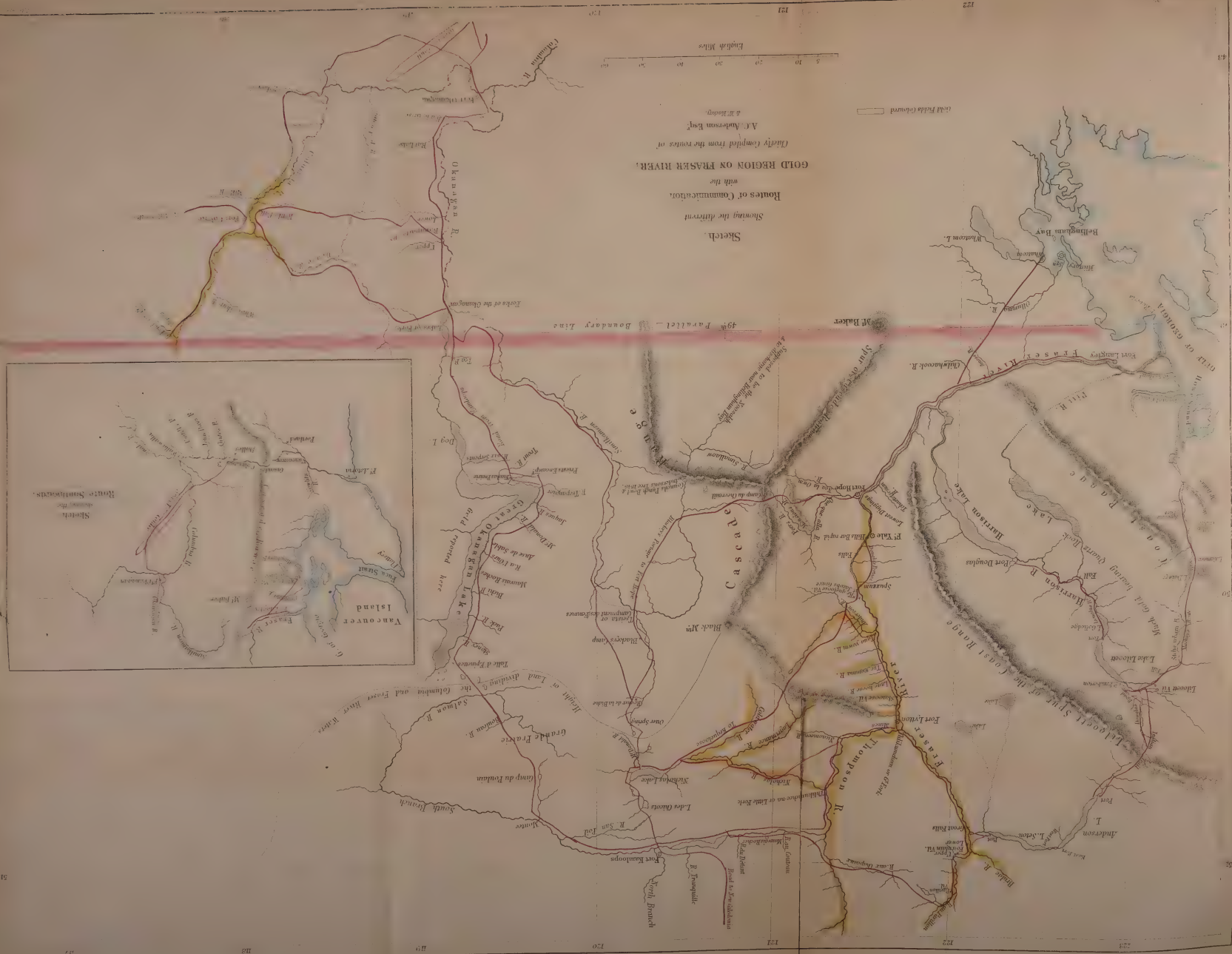
26. I have already explained to you personally (as I have informed the Governor), that it is my desire to see established in British Columbia as early as the state of society will permit free Representative Institutions; but premature or precipitate action in such a case only weakens the object we have in view; and if the fabric is to be lasting the foundations of self-government should be laid with care. All regulations affecting an electoral franchise should be framed so as to suit the special community on which they are brought to bear. I should feel obliged by reports, as the result of your own unbiased opinions, as to the nature, habits, and conditions of the immigrant population; the degree to which education exists; the probabilities of settled residents, and cultivators of the soil, as distinct from casual adventurers, or the inhabitants of a seaport town; with such remarks, confidentially given, as may guide the judgment of Her Majesty's Government in the frame-work of a constitution which will secure tranquillity and order as the only genuine safeguards of popular freedom. These reports, with any other you may remit to me, will be sent, of course, through the Governor.

I have, &c.

Colonel Moody, R.E.
&c. &c.

(Signed) E. B. LYTTON.

APPENDIX.



APPENDIX No. 2.

BRITISH
COLUMBIA.Appendix
No. 2.

HAND BOOK to the Gold Regions of Fraser's and Thompson's Rivers, with TABLE OF DISTANCES.
By ALEXANDER C. ANDERSON, late Chief Trader, Hudson's Bay Company's Service.

NOTES in reference to the Routes of Communication with the Gold Region on Fraser's River,
explanatory of the accompanying Map.

Fraser's River discharges itself into the Gulf of Georgia, a little to the north of the 49th parallel. The head waters of its principal branch interlock with those of the Columbia and the Athabasca. At the distance of 160 miles from its mouth it is joined by Thompson's River, a large stream flowing from the eastward. As indicated in the Map, the Cascade range of mountains, which may be viewed as a continuation of the Sierra Nevada, ceases at this point. Here, and in its immediate vicinity, the diggings which are now creating so much excitement have been in progress since last summer, though their richness, now apparently so well authenticated, was not ascertained till more lately.

There are two distinct lines of approach to these mines: one by the direct route through Fraser's River; the other by way of the Columbia River, by Portland and the Dalles, and thence with pack animals through the trails used until recently by the Hudson's Bay Company for their communications, and for the transport of supplies for the interior.

These routes will be separately considered.

Route viâ Fort Langley.

Fort Langley, the lowest post of the Hudson's Bay Company on Fraser's River, is situated on the left* bank, about 25 miles from the entrance. Thus far the stream is navigable for vessels of considerable burthen, the precaution of sounding or buoying the sand-heads at the entrance being first adopted, in the absence of a qualified pilot. The ascent, however, short as the distance is, is rather tedious for a sailing vessel, as the river is land-locked, and the winds consequently irregular and baffling.

Fort Hope is a small post situated near the mouth of the Que-que-alla River, which falls in 69 miles above Langley. Thence to the foot of the "Falls" is 12 miles further. From that point to Thompson's River Forks is a distance of 54 to 55 miles by the travelled route.

It is questionable how far above Langley a vessel of any considerable draught could readily be taken; but from that post to Fort Hope there seems to be no room to doubt that an efficient steamer of light draught could be advantageously navigated, and, indeed, for some miles higher up. Above the Falls, however, the obstacles to steam navigation, and especially at the higher stages of the water, I judge to be very serious.

Hitherto, bateaux of about three tons burthen have been employed by the Hudson's Bay Company for transport below the Falls; a slow method when the water is high, as the ascent can then be effected only by warping along shore, with the aid of Indian canoes to pass the lines. By this tedious process, an ascent was made during the freshet of 1848, to the foot of the Falls, in eight days; under ordinary circumstances, it would occupy five.

There is a trail (indicated in the sketch as "Douglas Portage") from the upper Teet Village, below the Falls, to Spuz-zum, above the Falls, the lowest village of the Saw-mee-nas, or Couteaux. It is much longer, but not so rough as the passage of the river bank, which is for some distance extremely broken. Both these portages are on the right bank.

The series of rapids called the "Falls" is about three miles in length. There is no such abrupt descent as the name implies. At low water these rapids may be ascended with light craft, by making portages; but at the higher stages of the water they present a difficulty almost insurmountable. During the summer season the rocky shores of the "Falls" are thronged by Indians from the lower country, who resort thither for the salmon fishery. A ceaseless feud, I may here mention, prevails between the Couteau and the lower Indians, who differ from each other widely in many respects.

At Spuz-zum, six miles above the Falls, the river is crossed to the left bank, where is the terminus of a horse trail, opened in 1847 and 1848, across the mountains from the Similk-ameen country, but abandoned afterwards as ineligible, chiefly on account of the difficulties of the Falls.

This trail follows the river to Ke-que-loose, six miles further. At this point is the grave of a servant of the Hudson's Bay Company, who, in 1848, was found shot near the encampment, under circumstances which justified the belief that he died by his own voluntary act. A large cedar statue, of Indian workmanship, and a small enclosure, mark the spot. The banks of the river immediately above this are very rugged; consequently the trail ascends the height (some two thousand feet or more), crosses it, and descends upon Anderson's River, at the Forks of which two bridges were formerly in existence.

The Similk-ameen trail continues inland hence; that leading to the Forks of Thomson's River (indicated by a trail-line in the sketch) diverges, and after a few miles travel again strikes Fraser's River, at Tqua-yowm, a populous village, six miles above Ke-que-loose, and situated at the mouth of Anderson's River.

Thence to the Forks of Thompson's River, where the miners were last at work, is estimated at thirty-three and a half miles, through a hilly road, in places very stony, and impassable for loaded horses without a large amount of labour in its improvement. Several streams fall in between Tqua-yowm and the Forks, one of which during the freshets has to be ferried over with canoes. From Tqua-yowm upwards a marked change in the character of the scenery takes place; though rugged, it

* In this, and all other instances where the like distinctions may be employed, it is with reference to the descending stream.

BRITISH
COLUMBIA.

is less densely timbered than the lower country, and shows every evidence of a drier climate. The vicinity of Tquá-yowm itself is rather picturesque; but, what is of more importance, it enjoys a prolific salmon fishery during the season.

From the Forks of Thompson's River, horse roads extend in both directions up Fraser's River, and along Thompson's River, as indicated in the map.

I will now proceed to point out some of the difficulties which embarrass this route, and which, until some better system be organized than at present exists, are deserving certainly of serious consideration.

Assuming the miner to have reached the foot of the Falls by bateau or other conveyance, (and let me here remark that there is no practicable way of reaching this point from Fort Langley except by water), the more formidable impediments to his progress are still in advance. Horses are not procurable here; nor, if procurable, is the country suited for their subsistence. The navigation of the Falls at high water cannot be accomplished; nor, indeed, is the upper portion of the river to be navigated without difficulty at that stage. At the lower stage, these difficulties are so far modified that they may be overcome by portages; but it is to be premised that a certain amount of skill and experience in canoe navigation, which every one is not supposed to possess, is a necessary condition of the undertaking. The alternative is to proceed on foot; but my previous notes will have shown that the trail is a rough one, full of painful inequalities. It would, therefore, be impracticable to convey in this way more than a very limited amount of provisions, to say nothing of tools and other necessities for mining operations.

From Fort Hope there is a horse trail across the mountains; but no horses are to be procured there, as indeed not any are kept. All these animals, when required for transport, are brought from across the mountain range, and return forthwith. Moreover, the Fort Hope trail does not strike the mining region, but unites with the trail from the Columbia valley, to be presently considered. I subjoin a *resumé* of the distances by the direct trail:

	Miles.
Mouth of Fraser's River to Fort Langley	25
To Que-que-alla River	69
To Falls	12
	81
Falls Rapids	3
To Spuz-zum	6
To Ke-que-loose	6
To Tquá-yowm	6
To Forks of Thompson's River	33½
	54½
Total	160½

MEMORANDUM OF DISTANCES BY THE FORT HOPE ROUTE.

	Miles.
Fort Hope to the top of Manson's Mountain	12
Across the valley to Campement du Chevreuil (summit of the Cascade range)	10
To lake near height of land in Blackeye's Portage	25
To Tseistn, or Campement des Femmes	20
To Rocher de la Biche	20
Total, to the junction with Dalles Trail	87
From Rocher de la Biche to Forks of Thomson's River	85
Total, Fort Hope to Forks, Thompson's River	172
Mouth of Fraser's River to Fort Hope	84
Distance viâ Fort Hope—Total	256

N.B.—The above distances, as far as Rocher de la Biche, are noted according to the encampments it is necessary to make in order to secure scanty pasturage in the mountain for pack animals.

Route viâ Columbia River and the Dalles.

Every facility of steam navigation exists between Portland and the Dalles. The transit between these two points is performed in part of two days, the intervening night being passed at the Cascades, where travellers are well accommodated. An attempt is being made to extend steamboat navigation as far as the Priest's Rapids, sixty miles above Walla-Walla, and one hundred and ninety from the Dalles; but the success of this project is thus far undecided.

With horses there are two routes to the Priest's Rapids: one crossing the Columbia River at the Dalles, passing over the dividing ridge to the Yackama Valley, and continuing across until the Columbia is again struck at the point in question, where the Columbia is recrossed to its left bank (N.B.—This trail in crossing the Yackama Valley joins the trail which parties from Puget's Sound, crossing by the Nachess Pass, would necessarily follow. The necessity of crossing to the left bank at the Priest's Rapids arises from the impracticable nature of the country on the right side, between that point and Okinagan.)

The other route is by following the left bank of the Columbia from the Dalles to Walla-Walla, crossing the Snake River at its mouth, and thence continuing along the Columbia to the Priest's Rapids. (N.B.—There are several modifications of the latter portion of this route, some of which are shorter; but I instance this for simplicity.)

The first described route is much the shorter, as the great bend of the Columbia River is cut off by it; but the double crossing of the Columbia is a serious obstacle; and the Yackama River, when high, is a troublesome impediment.

For this reason I should prefer the longer route by Walla-Walla, and the more so as it is passable at all seasons, which the other is not, owing to snow in the mountain.

There is good grass by both routes.

From the Priest's Rapids the Indian trail is followed up some 25 miles, when it strikes off the river, and enters the *Grande Coulée*, an extraordinary ravine, the origin of which has been a matter of much speculation. A portion of it is approximately sketched on the map. The bottom of this ravine is very smooth, and affords excellent travelling; good encampments are found at regular intervals. After following it for about 60 miles, the trail strikes off for the Columbia, at a point a few miles beyond a small lake, called by the *voyageurs* *Le Lac a l'Eau Bleue*. (N.B.—It is necessary to encamp at this lake. There is a small stream 25 miles or so before reaching the lake, which is another regular encampment; and again another streamlet about 30 miles short of that last mentioned, where it would likewise be necessary to encamp. This would be the first encampment in the *Grande Coulée* after leaving the Columbia. I cannot recall any encamping grounds, other than these three, in this portion of the road.)

Striking off from the point mentioned in a direction about N.N.W., the trail reaches the Columbia a few miles above Fort Okinagan, which post is called 25 miles from the *Grande Coulée*. Ferrying at the fort (the horses being swum), the trail ascends the Okinagan River, cutting points here and there, as shown in the sketch. At about 60 miles from the post is the Similk-a-meén Fork. The Okinagan is crossed just above the junction. This crossing is narrow, and at the ordinary stage of the water can be forded with ease; at a higher stage, a canoe is hired. There is usually a pretty large concourse of Indians at this point during the salmon season. It is good policy to supply the chief with a little tobacco, to smoke with his followers. Goodwill is thus cheaply secured.

From the Forks the trail ascends the Similk-a-meén; but as the lower part of that river, where it breaks into the Okinagan Valley, is very rugged, it is advisable to ascend the Okinagan some miles, and along the lakes, by the main road towards Kamloops. A trail then branches off, as by the sketch, and ascends the hills towards the Similk-a-meén. After proceeding some distance, there is a small lake, affording a good encampment (called in the map "Crow Encampment"). Continuing thence, the trail falls on the Similk-a-meén above the obstacles referred to. The valley of the Similk-a-meén abounds in good pasture. Except during the freshets, the stream is readily fordable; and the trail accordingly is made to cross it frequently at such seasons, whereby several hills and some stoney places are avoided. During the freshets the left bank is followed without interruption.

At the Red Earth Fork the Similk-a-meén is left. The trail, following up a branch of this valley watered by the Red Earth stream, &c. crosses the height of land which divides the watershed of Fraser's River from that of the Columbia, and descends towards Nicholas Lake. A few miles before reaching the lake there is a cut off, indicated in the sketch, which strikes Nicholas River below the outlet of the lake. This river is crossed to its right bank, and followed about thirty-five miles, when it is recrossed (by fording in both cases at the ordinary stage of the water); and the point is cut, seventeen miles to Nicá-o-meén on Thompson's River. (N.B.—Besides the advantage of this cut off in point of shortness, the right bank of the stream is very steep and broken between the lower crossing and the junction of the stream with Thompson's River at Thlik-um-chee-ná.)

Nicá-o-meén is the commencement of the mining region, as so far declared. Thence it is thirteen miles to the Forks of Thompson's River.

I now append an estimate of the distances by this route, which will be found, I trust, reliable; and I also add a memorandum of the encampments which a party with pack animals might expect to make.

ESTIMATE OF DISTANCES.

	Miles.
From the Dalles across the Yackama Valley to the crossing place above Priest's Rapids	125
Five days' march with packs.	

By Walla-Walla.

Dalles to Walla-Walla	130
To crossing place above Priest's Rapids	60
	190

Eight days' march with packs.

From the Priest's Rapids crossing to the Grande Coulée	25
Along the Grande Coulée	60
To Okinagan	25
	110

BRITISH
COLUMBIA.

	Miles.
From Okinagan to Forks of Similk-a-meen - - - -	60
To Red Earth Fork - - - - -	90
To cut-off near Nicholas Lake - - - - -	55
To lower crossing, Nicholas River - - - - -	35
Across to Nická-o-meen - - - - -	17
To Forks of Thompson's River - - - - -	13
	270
Total distance from the Priest's Rapid crossing place to Thompson's River forks - - - - -	380

Distance from the Dalles by the several Routes.

Yackamá route - - - - -	125 × 380 = 405
Walla-Walla - - - - -	190 × 380 = 570

Estimate of March from the Priest's Rapids Crossing to the Forks of Thompson's River.

- 1st—Encampment on the Columbia, near where the trail leaves the river.
- 2nd—On first rivulet in Grande Coulée
- 3rd—On second rivulet in do.
- 4th—At the small lake in do.
- 6th—At Okinagan.
- 7th—Rivière à la Grise, or Rat Lake.
- 8th—Upper Bonaparte's River.
- 9th—Forks of Similk-a-meen.
- 10th—Crow Encampment.
- 11th, 12th, and 13th—Along the Similk-a-meen.
- 14th—At or beyond Red Earth Fork.
- 15th—Near Rocher de la Biche.
- 16th—Cut off near Nicholas Lake.
- 17th—Upon Nicholas River.
- 18th—Nická-o-meen.
- 19th—Forks of Thompson's River.

Or, 27 days from the Dalles, via Walla-Walla.

It may be noted here that, throughout the distance, there are no obstacles to an easy march beyond those that I have endeavoured to note. Pasture and water are plentiful, and fuel, for the greater part of the distance, likewise abundant. Along the Columbia, the country is bare of timber; elsewhere the valleys are clear, the hills sparsely timbered with the Colville red pine (*pinus ponderosa*). There are numerous tracts of very fertile soil.

As already mentioned, there are two trails across the Cascade range for the neighbourhood of the Similk-a-meen country; one striking to Ke-que-loose and Spuz-zum, above the Falls; the other at Fort Hope, below the Falls. The former was abandoned in 1849, chiefly on account of the difficulties of the Falls. As it approaches Fraser's River, too, it is extremely rugged. The Fort Hope route is used by the Hudson's Bay Company for the transport between Fraser's River and the several inland districts. The route over the mountains is short, but rugged, and pasture is scarce. It is of course impassable with horses, except after the melting of the snows late in June, and until about the middle of October. Both these routes, as will be seen by the sketch, unite with the Dalles trail at different points.

MEMORANDA AND NOTES

On several Subjects connected with the Mining Region.

The gold found in the Couteau country has so far been procured chiefly from dry diggings. It is "coarse" gold, and its quality stands high in the market. Considerable quantities are reported to have been dug by the natives, who, so far, appear to have been the chief miners.

The Nicoutameens* or Couteaux are numerous. They and other branches of the great She-whap-much tribe inhabit the banks of Fraser's River, from a little above the Falls to the frontier of New Caledonia. Their extreme poverty formerly made them roguish, and their reputation was bad; but my own experience of their character was nowise unfavourable. These Indians subsist chiefly on salmon and various kinds of roots and berries. Their salmon they cure by splitting and drying, either in the smoke or sun.

The Indians between Fort Langley and the Falls, known as Hait-lins, Pal-lalks, Teets, &c. according to the villages which they inhabit, differ widely from the Couteaux both in habits and language. They are ingenious and thrifty, and having said this, it is about all I can say in their

* Couteaux, or *Knives*, is merely a corruption by the Canadian voyageurs of the native name. The Lower Indians call them *Saw-mee-ná*; they, in turn, call the Lower Indians *Sá-chi-no*; neither party recognizing the foreign name.

favour. They are, however, not indisposed towards whites, and, considerably treated, will doubtless remain so.

As before mentioned, the upper and lower Indians have a standing feud, which is kept alive by a treacherous murder every now and then, as occasion presents.

The miner visiting these regions will find no native resources beyond what the river supplies. Land animals are scarce, and withal so much hunted as to be extremely shy. Salmon can usually be bought very cheaply; but as there is no salt save what may be imported, there is no way of curing the fish but by the Indian method. At Ska-oose, below the Forks, is a good sturgeon fishery; and elsewhere in the eddies these fish may be caught. A strong line with some large cod hooks might be a useful addition to the miner's equipment. Set lines are an efficient way of catching these fish, the bait a small fish, or what is better, when procurable, a lamprey-eel. There are trout in the streams; and on the Dalles communication grouse of various kinds, sage hens, and other fowl are generally abundant.

In ascending Fraser's River mosquitoes are very numerous during the summer season, and as the sea-breeze is rarely felt, the air is extremely sultry. Near the Tchae-tse-sum River, below Fort Hope, the mosquitoes suddenly cease, and thence upwards the river is free of these troublesome pests.

The regular freshets begin at the latter end of April, and last during May and June. About the 15th of June may be regarded as the culminating point; and by the middle of July the waters are generally greatly subsided. There is rarely a freshet of much consequence at any other season, but this sometimes happens, and I have known a sudden freshet from heavy rains in October raise the river beyond the summer limit.

Snow begins to fall in the mountains early in October. In July there is still snow for a short distance on the summit of the Fort Hope trail, but not to impede the passage of horses. From the middle of October, however, to the middle of June, this track is not to be depended upon for transport with pack animals.

The summer climate about the Forks is dry, and the heat is great. During winter the thermometer indicates occasionally from 20° to 30° of cold below zero of Fahrenheit; but such severe cold seldom lasts on the upper parts of Fraser's River for more than three days; the thermometer will then continue to fluctuate between zero and the freezing point, until possibly another interval of cold arrives.

But the winters are extremely capricious throughout these regions, and no two resemble each other very closely. In general the snow does not fall deep enough along the banks of the main streams to preclude winter travelling with pack animals. The quality of the pasture is such (a kind of bunch grass in most places) that animals feed well at all seasons. There are many spots between the Similk-a-meen Valley and Okinagan that are specially favourable for winter ranches. In some the snow never lies, however deep it may be around.

The country, from the mouth of Fraser's River up to the Falls, is thickly wooded, mountainous, and impassable, so to speak, for man or beast. The river becomes more contracted above Fort Hope. Above the Falls, as far as Tquâ-yowm, the character of the country continues to resemble the same distance below. At Tquâ-yowm, however, as already noticed, a change takes place, and the evidences of a drier climate begin to appear. These continue to become more marked as we approach the Forks. At Thlik-um-chee-nâ, or the Little Fork, and upwards, rattle-snakes, wormwood and the cactus (prickly bear), characterise the scene; and some of these attributes extend thence downward for some distance.

At this point (Thlik-um-chee-nâ, the junction of Nicholas River with Thompson's River), the horse region may be said fairly to commence. Hence, to the frontiers of New Caledonia northward, and southward to the Pampas of Mexico, this useful animal is the best servant of man. Horses, however, are dear luxuries (comparatively speaking) in this quarter. At the Dalles, and around Walla-Walla, they are more numerous, and may be bought at very moderate rates.

In conclusion, I would suggest to every miner, by which road soever he may travel to the Couteau mines, to supply himself well beforehand, as he can depend upon little in that region, save what is imported by himself or others.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

BRITISH COLUMBIA.

Cushing

P A P E R S

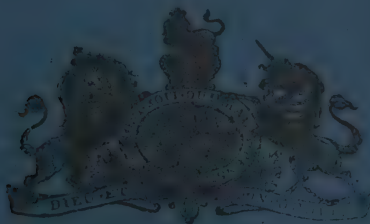
RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART II.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty,
12th August 1859.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1859.

[Price 3s. 6d.]

BRITISH COLUMBIA.

George Gibbs

P A P E R S

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART II.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty,
12th August 1859.



L O N D O N :

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1859.

SCHEDULE.

DESPATCHES FROM GOVERNOR DOUGLAS TO THE RIGHT HONOURABLE SIR E. B. LYTTON, BART.

Number in Series.	Number and Date.	SUBJECT.	Page.
1	October 4, 1858 - (Private.)	GOVERNOR'S SALARY. With reference to his Appointment as Governor. Suggests that 5,000 <i>l.</i> per annum would not be more than sufficient for his maintenance - - -	1
2	October 12, 1858 - (No. 1.)	PROCLAMATIONS forwarded respecting,—1. Prohibiting the sale of Intoxicating Liquors to the Indians. 2. Warning all Persons against occupying or disposing without proper authority of Crown Lands. 3. Notice of Survey of Land in the vicinity of Old Fort Langley - - -	2
3	October 12, 1858 - (No. 2.)	ROYAL ENGINEERS. States that arrangements will be made for the reception of the Company of Sappers and Miners -	3
4	October 12, 1858 - (No. 3.)	GOVERNOR'S VISIT TO FRASER'S RIVER. Report on the General State of Public Affairs at Fraser's River during a recent visit. Transmitting Commission establishing Criminal Court for the Trial of W. King - - -	3
5	October 21, 1858 - (No. 4.)	IMPERIAL ACT FOR THE GOVERNMENT OF BRITISH COLUMBIA, acknowledged - - -	7
6	October 23, 1858 - (No. 5.)	SALE OF CROWN LANDS. Forwards a Form of Title for Town Lots of Land - - -	8
7	October 26, 1858 - (No. 6.)	GENERAL REPORT ON THE STATE OF PUBLIC AFFAIRS. Submits a Scheme for the Establishment of a Civil and Criminal Judiciary. Transmits Abstract of Public Revenue, and also a Report by Captain Richards on the Harbours of Vancouver's Island and British Columbia - -	8
8	October 27, 1858 - (No. 7.)	SALE OF CROWN LAND. Encloses Report describing existing arrangements for the Sale of Land, with Observations -	17
9	November 3, 1858 - (No. 9.)	SEAPORT-TOWN, Suggestions on the Establishment of a -	19
10	November 3, 1858 - (No. 12.)	NAVAL DEFENCES. Acknowledges Despatches relating to the Naval Defences of Colony - - -	20
11	November 4, 1858 - (No. 14.)	ROYAL ENGINEERS. Relative to Payment of Expenses of Detachment of Royal Engineers - - -	20
12	November 4, 1858 - (No. 15.)	ROYAL ENGINEERS. Expresses satisfaction as to arrangements made for sending Royal Engineers - - -	21
13	November 5, 1858 - (No. 16.)	POSTAL ARRANGEMENTS, relative to - - -	22
14	November 5, 1858 - (No. 17.)	PROTECTION OF NATIVE INDIAN TRIBES - - -	23
15	November 6, 1858 - (No. 21.)	JURISDICTION OF THE HUDSON'S BAY COMPANY. Acknowledges Despatch relative to queries addressed to Her Majesty's Minister at Washington by Pacific Mail Steam Packet Company - - -	23
16	November 6, 1858 - (No. 22.)	MISSIONARY CHAPLAINS. Acknowledges Despatch announcing it to be the intention of the Society for the Propagation of the Gospel to send Missionary Chaplains - -	23

Number in Series.	Number and Date.	SUBJECT.	Page.
17	November 6, 1858 - (No. 23.)	REVOCATION OF GRANT TO HUDSON'S BAY COMPANY. Stating that the Proclamation of the Queen's Revocation of the Crown Grant of the 30th May 1838, to the Hudson's Bay Company will shortly be made - - -	24
18	November 8, 1858 - (No. 25.)	PURCHASE OF LAND BY NAVAL AND MILITARY OFFICERS. Reporting opinion as to Remission on the Purchase of Land by Officers of the Army and Navy. Suggests the appointment to certain Offices - - -	24
19	November 8, 1858 - (No. 26.)	ROYAL ENGINEERS. Reports that measures have been taken for the accommodation of Captain Parsons and Detachment -	25
20	November 8, 1858 - (No. 27.)	THE GOVERNOR'S LEGAL POSITION. Acknowledges Despatch defining the Governor's Legal Position in the Colony - - -	25
21	November 9, 1858 - (No. 28.)	ROYAL ENGINEERS. Announcing arrival at Vancouver's Island of Captain Grant with Detachment of Royal Engineers; and also of Mr. Brew, Inspector of Police; Judge Begbie was expected to arrive by next steamer from San Francisco - -	26
22	November 9, 1858 - (No. 29.)	GOLD COMMISSIONERS. Reporting that he had anticipated Captain Richards' suggestion of the Appointment of Gold Commissioners with the Powers of Magistrates and Establishment of a Police Force at the Diggings - - -	26
23	November 9, 1858 - (No. 30.)	GENERAL REPORT OF THE FORT YALE DISTRICT AND MINING OPERATIONS. Forwards Mr. McKay's Journal of a Journey through part of Fraser's River District; also Register of Bridges on Harrison's River Road - -	27
24	November 13, 1858 - (No. 31.)	THE COLONIAL SECRETARY. Recommending the Appointment of Mr. Young as Colonial Secretary - - -	33
25	November 27, 1858 - (No. 34.)	REPORTS VISIT TO POINT ROBERTS AND THENCE TO FORT LANGLEY to proclaim Act of Parliament for the Government of British Columbia; Revocation by Her Majesty of exclusive privileges of the Hudson's Bay Company. Indemnifying Officers of Government from irregularities previous to Proclamation of Act; and declaring English Law to be the Law of the Colony - - -	34
26	November 27, 1858 - (No. 35.)	MOVEMENTS OF THE ROYAL ENGINEERS. Announcing the Departure of Captain Grant and Detachment of Royal Engineers to Fort Langley, and that proper Accommodation had been provided - - -	35
27	November 27, 1858 - (No. 37.)	EMPLOYMENT OF GUN-BOATS. Reports having conveyed to Captain Prevost and Captain Richards the thanks of Her Majesty's Government for their assistance. Suggests the employment of one or two gun-boats of light draught -	36
28	November 29, 1858 - (No. 38.)	FIRST SALE OF PUBLIC LANDS at "Old Fort Langley." Satisfactory result. Two days' sale produced 13,000 <i>l</i> . Transmits paper as to right of aliens to hold lands - -	37
29	November 30, 1858 - (No. 39.)	DISPOSAL OF CRIMINALS. Requests Instructions as to the Disposal of Criminals sentenced to Transportation - -	39
30	November 30, 1858 - (No. 40.)	MINING DISTRICTS. Yield of Gold. Amount of Gold exported - - -	39
31	December 4, 1858 - (No. 42.)	PROCLAMATIONS TRANSMITTED. 1. Relating to the Conveyance of Crown Lands. 2. Levying Customs Duties on Imports - - -	41
32	December 9, 1858 - (No. 45.)	CHAPLAIN FOR THE MINING DISTRICTS. Acknowledges Despatch announcing that the Rev. James Gammage had been selected by the Society for the Propagation of the Gospel to officiate among the Mining Population - - -	43
33	December 9, 1858 - (No. 46.)	ALLOWANCE OF PAY TO THE COMPANIES OF H.M. SHIPS "SATELLITE" AND "PLUMPER" - -	43

Number in Series.	Number and Date.	SUBJECT.	Page.
34	December 7, 1858 - (No. 50.)	CLAIMS OF HUDSON'S BAY COMPANY to certain Tracts of Land connected with their several Trading Establish- ments. Transmitted - - - - -	44
35	December 14, 1858 - (No. 51.)	IMPORT AND EXPORT DUTIES. States that an Export Duty on Gold, together with the Duties on Imports, would prob- ably yield an annual income of 100,000 <i>l</i> . - - -	45
36	December 24, 1858 - (No. 52.)	GENERAL REPORT ON THE STATE OF THE GOLD DISTRICTS, &c. - - - - -	46
37	December 27, 1858 - (No. 56.)	NAVAL AND MILITARY ASSISTANCE. Suggests Estab- lishment of a Constabulary Force. Trusts that after the first year the Colony will be self-supporting - - -	47
38	December 28, 1858 - (No. 58.)	ENDOWMENT OF BISHOPRIC. Tenders to Miss Burdett Courtts the grateful thanks of the community for her munifi- cent endowment - - - - -	50
39	December 29, 1858 - (No. 62.)	EMPLOYMENT OF THE ROYAL ENGINEERS IN THE SURVEY OF THE COLONY. States that the Colony is not encumbered with a Civil Corps of Surveying Officers -	50
40	December 30, 1858 - (No. 63.)	REGULATION AND MANAGEMENT OF THE GOLD FIELDS. Further Report of the steps taken for this purpose	51
41	January 6, 1859 (No. 65.)	ADMINISTRATION OF JUSTICE. Enclosing a General Order of the Court, and Copies of Letters from Mr. Justice Begbie explanatory of the reasons for admitting, as a temporary arrangement, Members of the American Bar to plead in the Courts - - - - -	52
42	January 8, 1859 (No. 68.)	OUTRAGE AT FORT YALE. Committed by a party of gamblers and refugees from justice. Reported - - -	55
43	January 15, 1859 (No. 76.)	LIGHTHOUSES. Reporting on the necessity for and the proper points at which Lighthouses should be erected - - -	56
44	January 21, 1859 (No. 79.)	THE GOLD FIELDS. Reporting on the state of the Gold Fields at the present time, and forwarding Specimens pro- cured from Bridge River, Thompson's River, Harrison's River, and other parts of the country which have been partially explored - - - - -	57
45	January 22, 1859 (No. 80.)	OUTRAGE AT FORT YALE. Reporting the measures taken for quelling the disturbance - - - - -	58
46	February 4, 1859 (No. 90.)	LIGHTHOUSES. Enclosing the Report of Captain Richards of H.M.S. "Plumper" upon the positions for the Lights, accom- panied by tracings of the line of the coast - - -	58
47	February 4, 1859 (No. 92.)	THE SEAT OF GOVERNMENT. Enclosing the Report of Colonel Moody on the Site for the Seat of Government -	59
48	February 5, 1859 (No. 93.)	NAME OF THE CAPITAL. Stating that the Name of the Seat of Government has been called "Queensborough" for the present, and requests Her Majesty to name the Capital -	61
49	February 7, 1859 (No. 95.)	STATE OF BRITISH COLUMBIA up to the present time reported - - - - -	61
50	February 9, 1859 (No. 96.)	DEPARTMENT OF LAND AND WORKS. Enclosing Notes on the Department by Colonel Moody - - - - -	62
51	February 19, 1859 (No. 104.)	PROCLAMATION relative to LAND SALES enclosed -	64
52	March 10, 1859 (No. 111.)	AFFAIRS OF THE COLONY relative to Mining Operations, Gold Produce, &c., up to the present time reported - -	66
53	March 14, 1859 (No. 114.)	PROTECTION OF THE INDIAN TRIBES. Observations on the policy to be observed towards the Indian Tribes of British Columbia, and touching on the prominent features of a proposed system for their protection - - - - -	68

Number in Series.	Number and Date.	SUBJECT.	Page.
54	March 18, 1859 (No. 116.)	THE GOVERNOR'S MEASURES. Expressing his gratification at the approval of H.M. Government - - -	69
55	March 25, 1859 (No. 123.)	GOLD DISCOVERIES. Reporting the discovery of a lump weighing 27 ounces, and enclosing the Report of Mr. Downie on the subject of his explorations. The operations in progress for laying out the site of the new capital - - -	70

DESPATCHES FROM THE SECRETARY OF STATE.

1	December 16, 1858 (Private.)	RELATIVE TO GOVERNOR'S ACCEPTANCE OF THE GOVERNMENT, and the Salary attached to it - - -	73
2	December 30, 1858 (No. 60.)	THE GOVERNOR'S VISIT TO FRASER'S RIVER. Acknowledging the Governor's Report of his visit, and thanking him for the valuable information contained therein - - -	74
3	December 30, 1858 (No. 61.)	AFFAIRS OF BRITISH COLUMBIA. Impressing the necessity of strict Economy - - -	74
4	December 30, 1858 (No. 62.)	PROTECTION OF THE INDIAN TRIBES. Observations on the policy to be adopted towards the Indian Tribes - - -	76
5	January 20, 1859 (No. 6.)	PROCLAMATIONS issued by the Governor, prohibiting the introduction of SPIRITUOUS LIQUORS among the NATIVES, and cautioning Purchasers against the fraudulent SALES OF CROWN LANDS by unauthorized persons, approved, and encloses the FORM OF A GRANT for adoption in the Sale of Crown Lands - - -	76
6	January 22, 1859 (No. 7.)	ROADS AND GOLD MINES. Acknowledges with much interest the reports relative to the state of the Gold Mines, and the construction of the route by Harrison's River to Fraser's River - - -	77
7	February 2, 1859 (No. 13.)	ROYAL ENGINEERS. Acknowledges Governor's Despatch announcing the Arrival of the Detachment under Captain Parsons - - -	77
8	February 4, 1859 (No. 14.)	ROYAL ENGINEERS. Approves the measures adopted for sending the Detachment of Royal Engineers under Captain Grant to Fort Langley - - -	78
9	February 7, 1859 (No. 16.)	SALE OF CROWN LANDS. Observations relative to the facilities to be afforded for the Purchase of Crown Lands - - -	78
10	February 8, 1859 (No. 17.)	CLAIMS OF THE HUDSON'S BAY COMPANY to Lands adjoining their Trading Establishment in British Columbia. Requesting to be furnished with a Report from the Commissioner of Crown Lands before deciding on these claims - - -	79
11	February 11, 1859 (No. 20.)	SALE OF CROWN LANDS. Approves of the proceedings reported in the matter of the Sale of Town Lands at Old Fort Langley. ALIENS.—Observations relative to extending the Provisions of the Canadian Laws on this subject to British Columbia - - -	80
12	February 11, 1859 (No. 21.)	PROCLAMATIONS. Acknowledges Despatch announcing the Proclamation in the Colony of the Act of Parliament providing for the Government of British Columbia, and of the Instrument revoking the Licence to trade of the Hudson's Bay Company - - -	80
13	February 12, 1859 (No. 22.)	AFFAIRS OF THE COLONY. Acknowledges with satisfaction the Governor's Despatch, No. 51, of the 14th December 1858, reporting upon the Affairs of the Colony to that date - - -	80
14	March 3, 1859 (No. 28.)	THE COLONIAL SECRETARYSHIP. Approving of the appointment of Mr. Young, and observing upon the provision to be made for the Salary, &c. - - -	81

Number in Series.	Number and Date.	SUBJECT.	Page.
15	March 10, 1859 (No. 30.)	NAVAL PROTECTION. Relative to the fitting of two gun-boats for service in British Columbia - - -	81
16	March 15, 1859 (No. 32.)	ADMINISTRATION OF JUSTICE. As to the Admission of Foreign Counsel to practise - - -	81
17	March 19, 1859 (No. 33.)	PROCLAMATIONS. Approves of the Proclamations issued relative to the Conveyance of Crown Lands and Import Duties	82
18	March 22, 1859 (No. 36.)	OUTRAGES AT FORT YALE AND HILL'S BAR. Expresses satisfaction at the settlement of these difficulties -	82
19	March 24, 1859 (No. 39.)	SAMPLE OF GOLD found at Stonia, on the Fraser River, acknowledged - - -	82
20	April 11, 1859 (No. 48.)	POLICE FORCE. Enclosing a Letter from Lord Naas, relative to the requisition of the Governor for a Detachment of the Irish Constabulary Force. Encloses a Statement of the Advances which have been made on account of British Columbia out of the Treasury Chest and Civil Contingencies - -	82
21	April 12, 1859 (No. 50.)	EXPENSES OF THE COLONY. Again impresses the necessity of the Colony providing the Funds for her Expenditure; and stating that H.M. Government cannot assist in the purchase or construction of a steam vessel - - -	85
22	April 12, 1859 (No. 51.)	DEPARTMENT OF LAND AND WORKS. Acknowledging Governor's Despatch with Colonel Moody's Memorandum on various subjects connected with his Department, and states that H.M.'s Government cannot sanction the additional expense proposed, unless it can be defrayed from the Revenues of the Colony - - -	85
23	May 5, 1859 - (No. 61.)	"NEW WESTMINSTER." Stating that Her Majesty had decided that the Capital of British Columbia shall be called "New Westminster" - - -	86
24	May 7, 1859 - (No. 62.)	SALE OF CROWN LANDS. Conveying directions relative to the disposal of Crown Lands - - -	86
25	May 11, 1859 - (No. 63.)	LIGHTHOUSES. Enclosing a Correspondence between the Colonial Office, the Admiralty, the Board of Trade, and the Treasury relative to the Erection of Lighthouses in Fucas Straits and the Approaches to Esquimalt Harbour - - -	87
26	May 14, 1859 - (No. 64.)	AFFAIRS OF BRITISH COLUMBIA. Acknowledging Governor's Despatch, No. 123, of 25th March 1859, relative to the state of affairs to that date, and the result of explorations made by Mr. Downie - - -	91
27	May 20, 1859 - (No. 67.)	PROTECTION OF THE INDIAN TRIBES. Acknowledges Governor's Despatch on the subject of the policy to be observed towards the Indian Tribes, and containing an opinion as to the feasibility of locating the Indians in native villages, with a view to their protection and civilization - - -	92
28	May 23, 1859 - (No. 70.)	SALARY OF THE GOVERNOR. Relative to the inadequacy of the Salary assigned to the office of Governor of British Columbia - - -	92
29	May 24, 1859 - (No. 71.)	SITE OF THE CAPITAL AND SEAPORT OF BRITISH COLUMBIA. Approving of the steps taken for the Selection of the Site - - -	92

MAPS.

MAP OF BRITISH COLUMBIA.

PLAN OF PART OF FRASER'S RIVER, showing the Character of the Ground from the Entrance to the Site of Old Fort Langley.

P A P E R S
RELATIVE TO
THE AFFAIRS OF BRITISH COLUMBIA.

PART II.

Despatches from Governor Douglas.

No. 1.

BRITISH
COLUMBIA.

No. 1.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(Private.)

Victoria, Vancouver's Island, October 4, 1858.

(Received December 10, 1858.)

(Answered, "Private," December 16, 1858, page 73.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your Despatches, marked "confidential," of the 16th* and 21st* of July last, and I can hardly find words to express how grateful I am for your kind notice of my public services, and I would also thank you for the cautions given in respect to my public acts while connected in business with the Hudson's Bay Company.

* See pages 43
and 44, Part I.

2. I observe the intention of Her Majesty's Government to appoint a Governor for Columbia, and that it was their desire to appoint me at once to that office on the usual terms of a Governor's appointment, namely, for six years at least, and that this Government was to be held for the present in conjunction with a separate Commission as Governor of Vancouver's Island; that offer being made subject to one condition, that I should give up, on receiving the appointment thus offered, all connexion with the Hudson's Bay Company, either as a servant or a shareholder, or in any other capacity, as well as relinquishing directly or indirectly all connexion with the Puget's Sound Company. I observe also that you made that proposal with the acquiescence of the Governor of the Hudson's Bay Company, who had seen your Despatch of the 16th of July.

3. On those conditions, and with the consent of the Hudson's Bay Company, I place my humble services unhesitatingly at the disposal of Her Majesty's Government, and I will take early measures for withdrawing from the Company's service, and disposing of my Puget's Sound stock, trusting that the allowances as to salary from Her Majesty's Government will be adequate to my support, in a manner worthy of the position I am thus called upon to fill.

The sum mentioned in your letter for British Columbia, admitting that a separate and larger allowance was made for Vancouver's Island, is manifestly insufficient for that purpose, in this very expensive country, where food, clothing, servants' wages, the price of labour, and in short, of every necessary of life, so far exceeds the standard of those values in England.

4. The sum of 5,000*l.* per annum, including the salaries for both Governments, would be no more than sufficient to cover the actual expenditure of that position; a suggestion made merely for your information, as I feel assured you wish me to maintain the dignity of the office; and my own fortune, impaired by the almost unrequited tenure of office in Vancouver's Island, cannot afford the outlay. Otherwise I should be independent in point of means, and in a measure indifferent about the emoluments of office, which I only wish to be equal to the respectable representation of Her Majesty's Government in this country.

5. I take the liberty of making those suggestions, with the more confidence, as I feel assured that the resources of the country can afford the expense of maintaining a respectable Government, and I shall do everything in my power to develop those resources, and to bring the Colony rapidly into a self-supporting condition.

I shall take immediate steps to inform the Hudson's Bay Company of my present decision. Awaiting your further instructions,

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.
No. 2.

No. 2.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 1.)

Victoria, Vancouver's Island, October 12, 1858.

(Received December 14, 1858.)

(Answered, No. 6, January 20, 1859, p. 76.)

SIR,

Encl. No. 1.

Encl. No. 2.

Encl. No. 3.

I HAVE the honour of forwarding herewith for your information, a Proclamation, issued by me on the 6th day of September last, prohibiting the gift or sale of intoxicating drinks to the native Indians of Fraser's River; and also a Proclamation issued at Fort Yale, on the 15th day of the same month, warning all persons against occupying or disposing, without proper authority, of Crown lands in Fraser's River, a proceeding rendered necessary, in consequence of an attempt made by James Ray, and other parties, to take possession of certain valuable Crown lands in British Columbia, and as reported, to make collusive sale of the same; and also a notice of the intention of Government to survey the land in the vicinity of Old Fort Langley, and to lay it out in blocks and town lots, which will be put up for public sale on or about the 20th of the present month.

I am not certain about the form of title usually issued on the sale of town lots, or of other Crown lands in Her Majesty's Colonies, and will feel obliged by your directing forms of such deeds to be forwarded to me without delay.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

Enclosure 1 in
No. 2.

Enclosure 1 in No. 2.

PROCLAMATION

By His Excellency, JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies,
Commander-in-Chief and Vice-Admiral of the same, &c. &c. &c.

WHEREAS it has been represented to me that spirituous and other intoxicating liquors have been sold to the native Indians of Fraser's River, and elsewhere, to the great injury and demoralization of the said Indians; and, also, thereby endangering the public peace, and the lives and property of Her Majesty's subjects, and others in the said districts.

Now, be it known unto all men, that the sale or gift of spirituous or other intoxicating drinks to the said native Indians, is contrary to law, and is hereby strictly prohibited, and that persons charged with such offences will be proceeded against accordingly, and on conviction thereof before a Magistrate, will be mulcted in the penal sum of not more than twenty pounds, nor less than five pounds, for each and every offence, and in default of payment of such penalty, shall be committed to jail, with or without hard labour, for a period of not more than six, nor less than two months.

Given under my hand and seal, at Fort Hope, this sixth day of September, in the year of our Lord, one thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's reign.

JAMES DOUGLAS, (L.S.) Governor.

By His Excellency's Command,
Wm. Manson, Acting Secretary.

GOD SAVE THE QUEEN.

Enclosure 2 in
No. 2.

Enclosure 2 in No. 2.

NOTICE.

Land Office, Victoria, October 1st, 1858.

Notice is hereby given that the land in the vicinity of, and including the site of "Old Fort Langley" is to be surveyed for a town site.

Corner posts of the blocks will be put in, the blocks numbered, and town lots sold without reservation—unless for the use of Government—at Victoria, on or about the 20th instant. The upset price to be one hundred dollars per single lot of 64 by 120 feet.

By order of the Governor.

JOSEPH D. PEMBERTON, Colonial Surveyor.

Enclosure 3 in
No. 2.

Enclosure 3 in No. 2.

PROCLAMATION

By His Excellency JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies,
Commander-in-Chief and Vice-Admiral of the same, &c. &c. &c.

WHEREAS it has been made to appear to me that certain persons in Victoria and elsewhere, have attempted to delude the public, by making pretended sales of certain lands on Fraser's River:

Now, I do hereby warn all persons whom it may concern, that no lands at or near Langley, or else-

where on Fraser's River, have been in any manner encumbered or sold, and that the title to all such lands is vested in the Crown, and that any person found occupying the same without due authority from me, will be summarily ejected; and all persons fraudulently selling the same will be prosecuted and punished as the law directs.

BRITISH
COLUMBIA.

Given under my hand and seal, at Fort Yale, this 15th day of September in the year of our Lord One thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's reign.

(Signed) JAMES DOUGLAS, (L.S.) Governor.

By His Excellency's Command,
William Manson, Acting Secretary.

GOD SAVE THE QUEEN.

No. 3.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

No. 3.

(No. 2.)
SIR,

Victoria, Vancouver's Island, October 12, 1858.

(Received December 14, 1858.)

I HAVE the honour to acknowledge the receipt of your Despatch No. 5th of the 30th of July last, announcing the intention of Her Majesty's Government to send to British Columbia, by the earliest possible opportunity, an officer of Royal Engineers, and a company of Sappers and Miners made up to 150 non-commissioned officers and men, and at the same time conveying your instructions that I should make such arrangements in the Colony for the reception of that party as may be deemed necessary and suitable, and also intimating that the officer in command would be provided with general instructions for his guidance, of which a copy will be sent to me.

* See page 44,
Part I.

2. I shall not fail to attend to those instructions with as little delay as possible, but I have not yet decided on the point where it would be advisable to station that force, though I am now of opinion that their presence will be of more advantage to the public service at Fort Hope than elsewhere, that being a central position from whence they can operate rapidly on any part of Fraser's River, and at the same time it is accessible to the steam vessels plying on Fraser's River, a circumstance which would be a great convenience and a saving of expense in the transport of provisions and stores.

I will, however, consult Major Hawkins, and ascertain his opinion on that subject before coming to a decision, and also with respect to the extent and plan of buildings required to provide the party with accommodation.

The expense of those works will be considerable, and I will be under the necessity of drawing upon you for funds to meet that outlay.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 4.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

No. 4.

(No. 3.)

Victoria, Vancouver's Island, October 12, 1858.

(Received December 14, 1858.)

SIR,

(Answered No. 60, December 30, 1858, p. 74.)

1. I TAKE the liberty of submitting, for the information of Her Majesty's Government, a report of my observations on the state of public affairs, during a late visit to Fraser's River, necessarily brief, as my time is engrossed not only with the executive duties of Government, but also in attending to all the details of inferior departments, which must hereafter devolve on other officers.

2. I was accompanied in that expedition by a force of 35 non-commissioned officers and men, kindly furnished by Captain Prevost of Her Majesty's ship "Satellite," and by Major Hawkins, Her Majesty's Boundary Commissioner, the military force being under the command of that active and zealous officer, assisted by Lieutenant Jones of the "Satellite."

3. The party was conveyed to Point Roberts, at the entrance of Fraser's River, by the Hudson's Bay Company's Propeller "Otter," and was there transhipped into the stern-wheel river steamer "Umatilla."

We disembarked at Fort Langley on the evening of the second day after leaving Victoria, and in two days more we arrived by the same steamer at Fort Hope; the river, though much abated in force, from being less swollen than it was in summer, still running

BRITISH
COLUMBIA.

at some points with a force and impetuosity almost insurmountable by the power of the steamer.

4. Our tents were pitched, and a regular camp formed near Fort Hope, it being here that the work of organization was to begin.

5. My first attention was devoted to the state of the Indian population. I found them much incensed against the miners; heard all their complaints, and was irresistibly led to the conclusion that the improper use of spirituous liquors had caused many of the evils they complained of.

* Page 2.
(Enclosure 1.)

I thereupon issued a proclamation, of which I have transmitted a copy,* warning all persons against the practice, and declaring the sale or gift of spirituous liquors to Indians a penal offence, and I feel satisfied that the rigid enforcement of the proclamation will be of great advantage both to the whites and Indians.

6. I also received at Fort Hope visits from the Chiefs of Thompson's River, to whom I communicated the wishes of Her Majesty's Government on their behalf, and gave them much useful advice for their guidance in the altered state of the country. I also distributed presents of clothing to the principal men as a token of regard.

7. My attention was then attracted to the state of the white population. Upwards of 800 persons engaged in trade and other pursuits were living about the Fort, in tents and unseemly comfortless huts, all desirous of settling in the country provided land could be acquired under a legal title. Not being invested with legal powers to grant titles, I hit upon an expedient, which, without an undue assumption of authority, met the difficulty.

8. Having just ascertained, from your Despatch of the 1st of July last, that it was the wish of Her Majesty's Government to colonize the country and develop its resources, I proposed to the inhabitants of the place to lay out certain lands as a town site, and to grant a right of occupation for town lots, under a lease terminable at the pleasure of the Crown, and to be held at a monthly rental of 41s. 8d. sterling, payable in advance, and with the understanding that the holder would be allowed a pre-emption right of purchase when the land is sold, in which case the sum of monthly rent paid would be considered as part of the purchase money.

9. The people gladly assented to the terms, and having fixed upon a town site near Fort Hope, Mr. Commissioner Travaillot, assisted by Corporal Fisher, Royal Engineer, was immediately employed in surveying the site, and laying out town lots, the principal streets running parallel, and the cross streets at right angles with the course of Fraser's River. The size of town lots is 120 by 66 feet, and the price to be paid is 20l. 16s. 8d. for each lot.

10. The next object which claimed my attention was the regulation of the sale of ardent spirits in Fraser's River. There being no means of preventing its introduction into the country, it appeared to me that the wisest policy would be to regulate the trade, by granting licences for the sale of spirits to certain parties of respectable character, who might open houses for the entertainment of the public. Two spirit licences were accordingly issued at Fort Hope, for which the holders paid the sum of 600 dollars each, being 1,200 dollars in all, into the public treasury.

11. My attention was then directed to the administration of justice. A considerable staff of public officers is necessary at Fort Hope, to consist of a magistrate, sheriff, and constabulary force, but the expense would have been so great, owing to the high price of labour, that I thought it proper to consult you on the subject before incurring the expense. No man of worth will accept employment at less than three and a quarter dollars, or thirteen shillings and sevenpence a day; the men, however, in that case, finding their own board and lodging. I, however, made the following appointments:—Robert Smith, a native of Scotland, to be justice of peace and revenue officer; Robert Ladner, to be chief constable. A court-house and jail are much wanted at Fort Hope; but they cannot at present be put up for less than 5,000l.; and for the same reason, that is, the great expense, I did not make any arrangements to provide those indispensable buildings, for want of funds and authority to pay by drafts on Her Majesty's Government.

12. A Court was held for the trial of petty offences, and sat every other day during our stay at Fort Hope; and I issued a commission appointing a Court for the trial of criminal offences, in which Mr. Pearkes, Crown Solicitor of Vancouver's Island, presided, assisted by Donald Fraser, Esquire, a gentleman of high legal attainments, who accompanied me from Vancouver's Island, and Mr. Justice Smith.

13. One case only was brought before the latter court, the trial of William King, for the murder of William Eaton on a mining bar in the upper parts of Fraser's River. The defendant was found guilty of manslaughter, and sentenced to transportation for life. It was reported to me, when the court was about to open for the trial of King, that a large

body of miners, then present, intended to rescue the prisoner; but, whatever may have been their intention, it was not carried into effect, as the proceedings went off quietly, and were in no stage interrupted by any riotous demonstration.

14. After a week's sojourn at Fort Hope, employed in the settlement of those affairs, we proceeded on our journey up Fraser's River in three large boats.

Though the distance to Fort Yale does not exceed fifteen miles, it occupied two days, as we travelled slowly, walking nearly the whole way, attended by the boats, and stopping at all the mining bars on the river for the purpose of seeing the numerous bodies of miners working there. We estimated that about 3,000 persons are engaged in gold mining on the banks of that part of the river. I entered into conversation with the miners, inquired into their wants, heard their complaints, explained to them the views and intentions of Her Majesty's Government, the reason and object of the regulations which had been established, and ascertained that their daily earnings were from five to twenty-five dollars to the man working with cradles or rockers.

15. I was much struck with the healthy, robust appearance of the miners, who were generally living in canvas tents or log huts, exposed to many discomforts, yet all seemingly in perfect health, pleased with the country, and abundantly supplied with wholesome food.

16. The whole course of the river exhibited a wonderful scene of enterprize and industry. I was particularly struck with the ingenious contrivances for distributing water; wherever the natural supply was not convenient, small streams had, in such cases, been diverted from their course and conveyed in skilfully graded ditches, even from a distance of three miles, and led along the higher parts of the mining bars for sluice washings; the owners of the ditches charging a certain sum per inch for the water supplied to the sluices. The sluice is far inferior, as a means of washing gold out of the soil, to the cradle, and is a wonderfully labour-saving machine.

17. To give an idea of the sums produced by sluices, and the advantage of that mode of working gold, I will here relate the information received from persons who employed those useful machines on their claims. For example, a Mr. Cushing, who had five hired men employed on his sluice, at wages ranging from five to eight dollars each a day, received, in one week, a yield of 2,500 dollars.

Another person, named George Cade, who owns a sluice on Hill's Bar, and constantly employs four hired men, at wages of five dollars a day each, averaged, during the six days preceding our arrival, 400 dollars a day; and Martin Gallagher makes about thirty-two dollars a day to the man out of ground already washed by the cradle to the depth of eighteen inches. Those were the greatest instances of mining success which we met with in our progress; elsewhere the mines are not so productive, ranging, as before stated, in the deeper and more developed workings, from seven to twenty-five dollars a day. The river was then falling rapidly, and claims were daily being taken up by new-comers, wherever a bit of dry beach could be found, and even those surface claims were yielding from two-and-half to five dollars to the hand, with the rocker. That yield, however, is not considered wages by the Californian miner, nor any other sum under six dollars a day.

18. We found a large assemblage of people at Fort Yale expecting our arrival with some anxiety, in order to ascertain the views of Her Majesty's Government.

19. According to their earnest request I met them the following day at a public meeting, and delivered a short address, in which I announced the instructions I had received from Her Majesty's Government, as contained in your Despatch of the 1st of July last, and the tidings were received with satisfaction.

20. The same process of organization was gone through here as at Fort Hope. The Indians were assembled, and made no secret of their dislike to their white visitors. They had many complaints of maltreatment, and in all cases where redress was possible it was granted without delay. One small party of those natives laid claim to a particular part of the river, which they wished to be reserved for their own purposes, a request which was immediately granted, the space staked off, and the miners who had taken claims there were immediately removed, and public notice given that the place was reserved for the Indians, and that no one would be allowed to occupy it without their consent.

21. A town site was also marked out at Fort Yale, and leases of town lots issued to all persons desirous of settling and building there, upon the same conditions and at the same charge as the town lots disposed of at Fort Hope.

22. Several spirit licences were also issued, to check the profuse and illegal sale of ardent spirits.

23. Mr. Solicitor Pearkes opened Court, and heard all cases that were brought before him. None of them were, however, of a very serious nature.

24. Fort Yale is the head of steamboat navigation, and the ascent of the river beyond that point is exceedingly dangerous at all seasons of the year, and impracticable during the summer freshets, in consequence of a succession of rapids which occur in the defiles of the Cascade Mountains, through which the river passes for a distance of thirteen miles. A road from that point is therefore carried over the mountains by Douglas Portage, on which I have lately authorized a good mule road to be made, and several bridges constructed at the public charge, for the convenience of transporting supplies to the upper mining bars and interior of the country. From the upper end of Douglas Portage the country presents a succession of steep rugged hills as far as the Indian village of Quaiome, and it will take a large sum of money, if even practicable, to make any better than a difficult mule track through that district of Frazer's River.

25. A number of enterprising adventurers have, nevertheless, contrived to get several mule trains upon that road, and now transport supplies for the miners to the forks of Thompson's River, a distance of 100 miles, at a freight charge of two shillings a pound, so that a pound of flour delivered at the forks of Thompson's River, including the price of the article at Fort Yale, costs the miner exactly 2s. 5½d.

26. It was lamentable to hear of the fatal accidents that were daily occurring to miners, who, to avoid the high rate of charge for land transport, were striving to make their way in boats and canoes by the river, through those perilous defiles. Seven men were drowned through such accidents during the few days we remained at Fort Yale, and there was also a great loss of property at the same time.

27. One of the first objects requiring the attention of Government is to open up the country by a system of roads, as by the present mode of access the cost of transporting provisions to the interior will absorb the miner's whole earnings; and even at the present high prices of transport, it will perhaps be impossible by this route to take in food enough for the support of a large population. In order to colonize the country, therefore, it is obviously necessary to make good roads.

28. We found about 2,000 whites living near Fort Yale, chiefly in canvas tents, though some few had just erected habitations of wood.

29. A saw mill was just finished, and leases of town lots having been issued, it was expected that buildings of a more substantial character would be erected without delay, such being the generally expressed intention of the persons who wished to make it their winter homes.

30. Fort Yale is the residence of Mr. Hicks, Assistant Commissioner of Crown Lands, his office consisting of a simple canvas tent. Public buildings will be required without delay, say a residence for the Commissioner, barracks for the police, a post office, a court house, and jail. I am almost afraid to say how much those buildings will cost, as there is no doubt the expense will be something very large.

31. A regular police force, consisting of one chief constable, at 150 dollars a month, and five policemen at 100 dollars each a month, were appointed during my stay at Fort Yale. This is a very high rate of pay, but no men worth having will serve for less.

32. I caused a body of 14 special policemen to be sworn into the civil service at Fort Yale, selected from those persons who had received leases of town lots, and intended to make that place their permanent residence; no dependence can be placed on many of the other inhabitants, who are as yet merely birds of passage, and have no views in Fraser's River, except the one idea of making their pile of gold and leaving the country. It is that roving class that are likely to give trouble to the Government.

33. Before I left Fort Yale, Mr. Commissioner Hicks made a successful beginning of collecting trading licences from all persons doing business at Yale. I also directed him to issue mining licences to miners holding remunerative claims, but to no others, my immediate object being to call in the certificates of mining duty paid in advance by intending miners at Victoria, according to the regulation advised in my Despatch No. 28* of the 19th of June last, it being understood that those certificates would be taken in payment of their first month's mining from all parties holding such in their possession, lest after mining successfully they might come forward and reclaim their money.

34. He accordingly visited the several bars, accompanied by Justice Perrier and two policemen; marked out and defined the boundaries of claims, settled all cases of disputed lines, and collected upwards of 500 certificates for as many mining claims.

35. I left him on my return to Victoria, in the midst of that occupation, and after I had ascertained that the several regulations established for the purpose of providing a public revenue were being quietly carried into effect.

36. Information was received from Victoria, during my stay at Fort Yale, that some speculators, taking advantage of my absence, had squatted on a valuable tract of public land near the mouth of Fraser's River, commonly known as the site of old Fort Langley,

* See page 17,
Part I.

and employed surveyors at a great expense to lay it out into building lots, which they were offering for sale, hoping by that means to interest a sufficient number of persons in the scheme as would overawe the Government and induce a confirmation of their title. To put the public upon their guard, and to defeat a swindling scheme, which, if tolerated, would give rise to other nefarious transactions of the same kind, I thought it necessary to issue a proclamation,* of which a copy is transmitted, warning all persons that the Crown lands in that part of the country had not been alienated or in any way encumbered, that any persons making fraudulent sales of land appertaining to the Crown, would be punished as the law directs, and persons holding such lands would be summarily ejected.

That proclamation was immediately forwarded to Victoria and published, with so decided effect on the public mind as entirely to break up the scheme, and we are now laying off the site of Old Fort Langley in town lots, to be sold for account and for the benefit of the public revenue.

37. I am highly pleased with Major Hawkins, R.E., who commanded the escort in my journey, having received much assistance from that active and zealous officer.

38. I will here bring this Despatch to a close, having thus briefly described the measures taken, and narrated the chief events of an excursion of nearly a month's duration.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS.

Enclosure 1 in No. 4.

Commission establishing Criminal Court for the Trial of William King.

Enclosure 1 in
No. 4.

By His Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of the Colony of Vancouver's Island and its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

To all to whom these presents shall come, or whom the same may concern, greeting,—

Know ye, that by virtue of the power and authority in me vested, and reposing confidence in the loyalty, integrity, and ability of George Pearkes, Donald Fraser, and Robert T. Smith,

I have appointed and do hereby appoint the said George Pearkes, Donald Fraser, and R. T. Smith to be Commissioners constituting a Criminal Court for the trial of William King, upon any charge, information, or indictment, now found or that may be hereafter found against him, by any judicial officer, or grand jury of Fraser's River District.

To have and to exercise all the powers necessary for such trial, and to pass and enforce sentence upon conviction of him, the said William King, according to law.

And this shall be your commission and warrant, for whatsoever you, the said Commissioners constituting said Criminal Court, shall lawfully do in the arraignment, trial, conviction of the said William King and in the execution of any sentence by you pronounced.

Given under my hand and seal at Fort Hope, in the District of Fraser's River, this ninth day of September, in the year of our Lord, one thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's reign.

(Signed) JAMES DOUGLAS, Governor.

No. 5.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 4.)
SIR,

Victoria, Vancouver's Island, October 21, 1858.

(Received December 14, 1858.)

I HAVE the honour to acknowledge the receipt of your Despatch, No. 7, of the 14th August last, transmitting to me copy of an Act, providing for the government of British Columbia; and mentioning that there had not been time by that mail to furnish me with the Order in Council, Commission, and Instructions as Governor, which are necessary in order to complete my legal powers.

You, nevertheless, are pleased to authorize me to act, during the brief interval before their arrival as I have hitherto done, as the authorized representative of Her Majesty's Government, in the territory of British Columbia, and to take such steps as I may deem absolutely necessary for the government of the territory, and as are not repugnant to the principles of British law, and as are in conformity with the directions you have transmitted to me, on several subjects, in your Despatches, No. 8* and 9,* of the 14th August last, and in such others as I may receive from you hereafter, and I have in reply to assure you that your instructions on every subject respecting the public duties I have to perform, will be implicitly obeyed.

* See pages 47
and 49, Part I.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.
No. 6.

No. 6.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

Victoria, Vancouver's Island, October 23, 1858.

(Received December 14, 1858.)

(Answered, No. 6, January 20, 1859, p. 76.)

(No. 5.)
SIR,

* Page 2.

WITH reference to my Despatch, No. 1,* of the 12th instant, requesting that forms of titles, as usually issued on the sale of town lots or other Crown lands in Her Majesty's colonies, might be furnished to me without delay, I have the honour to forward herewith a form of title for town lots, which we propose to issue on all sales made of such property in British Columbia until I receive your instructions on the subject.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in
No. 6.

Enclosure in No. 6.

BRITISH COLUMBIA, VANCOUVER'S ISLAND COLONY, TOWNSHIP OF

Know all men by these presents that I, James Douglas, Governor of Her Majesty's Colony of British Columbia, in virtue of the power vested in me by Her Majesty, in consideration of the sum of _____ paid by _____ to _____ Her Majesty's Colonial Surveyor, the receipt whereof I do hereby acknowledge, I hereby give and grant unto the said _____ his heirs and assigns for ever, all that lot of land situate _____ the township of _____ and known as Lot No. _____ upon the official map of the said township, with all and singular the appurtenances thereunto belonging, subject to all laws and sanitary regulations now in force, or that may be hereafter established for the convenience and good government of the said township.

In witness whereof I have hereunto set my hand and official seal, this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

Signed, sealed, and delivered by the above-named _____

in the presence of _____

No. 7.

No. 7.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 6.)

Victoria, Vancouver's Island, October 26, 1858.

(Received December 14, 1858.)

(Answered, No. 61, December 30, 1858, p. 74.)

SIR,

* Vide page 47
of Part I.

1. I HAVE the honour to acknowledge the receipt of your Despatch, No. 8,* of the 14th August, and it is with feelings of indescribable satisfaction that I observe that my administrative acts in this country continue to meet the approval of Her Majesty's Government.

2. I have no reason to regret the several appointments which were before reported of revenue officers and justices of the peace in Fraser's River, as those persons have continued in the faithful discharge of their duties, greatly to my satisfaction.

3. I am truly glad to learn that it is your intention to send at the earliest moment an officer authorized to act as judge, and as you are pleased to say that you await my intimations as to the wants and means of the Colony in this sudden rise of social institutions in a country hitherto so wild, in order to select such law advisers as the conditions and progress of immigration may more immediately require. And as it is your wish that all legal authorities connected with the Government should be sent from home, and thus freed from every suspicion of local partialities, prejudices, and interests, I have requested Mr. Parkes, a native of Canada, whom I lately appointed Crown solicitor for Vancouver's Island, to draw up a scheme for establishing a judiciary in Fraser's River, and I now submit the same for your consideration and approval.

4. The plan is, I conceive, well adapted for the country. The number of judges and inferior officers to be employed will be required as settlement and population increase, but a modified number will answer for the present time. The judicial buildings for holding the several courts and a common gaol in each district are urgently and pressingly wanted, particularly the latter, as we are now for want of gaols in British Columbia under the necessity of sending criminals to Vancouver's Island. Seals of office, the imperial statutes, and law books are wanted for reference in the several law courts of the Colony; and for the guidance of justices of the peace, I would beg you to send at least (20) twenty sets of that useful work, "Burn's Justice."

5. I shall not fail to give full effect to the philanthropic views entertained by Her Majesty's Government for the well-being of the native Indian tribes. My late Despatches

Enclosure 1.

will inform you of the measures adopted for their immediate protection, and I will hereafter, when time permits, endeavour to arrange some plan by which their interests will be permanently guarded, and the race rescued from destruction.

6. The customs duty of 10 per cent. ad valorem now levied on all goods imported into British Columbia, and the levying of licence fees have also, I observe, met with your approval, and you further leave it discretionary with me to change the latter mode of taxation for an export duty.

You will have observed by my Despatches, that no distinction is made between British and foreign subjects, who are placed on a perfect equality as to the amount per head of the licence fee required, and that my Proclamation of the 28th December 1857 asserts the principle that it is raised simply in virtue of the prerogative of the Crown to raise such revenue as it thinks proper, in return for the permission to work minerals on Crown lands.

7. I observe your remarks as to the limit and extent of the rights devised by the Crown to the Hudson's Bay Company, and I have to advise Her Majesty's Government that the Hudson's Bay Company no longer enjoys any exclusive rights of trade whatsoever, and is placed in all respects in the same position as other British subjects on this coast.

8. I will take the liberty, which I feel satisfied you will, under the circumstances, excuse, of correcting an erroneous impression which appears to pervade the public mind in England. I allude to the often-asserted statement that the Hudson's Bay Company have made an unjust and oppressive use of their power in this country, a statement which I can assure Her Majesty's Government is altogether unfounded. On the contrary, it would be an easy matter to prove that they have been of signal service to their country, and that the British territory on the north-west coast is an acquisition won for the Crown entirely by the enterprise and energy of the Hudson's Bay Company, for, on commencing business operations in this quarter, the whole coast was held by foreigners, and it is only since the year 1846 that the Hudson's Bay Company have derived any real protection from the licence of trade, as until that epoch the trade was open to all citizens of the United States in common with the Hudson's Bay Company.

Perhaps you will excuse my saying so much, as a sense of justice leads me to exert the little influence I possess in protecting from injustice men who have served their country so faithfully and so well.

At this moment I am making use of the Hudson's Bay Company's establishments for every public office, and to their servants for want of other means, I commit, in perfect confidence, the custody of the public money.

9. An Abstract showing the amount of public revenue collected up to this date for British Columbia, at the Custom House of Victoria, and the revenue vessel anchored at the mouth of Fraser's River under the several heads of mining licences, customs, head money, &c., is now herewith forwarded for the information of Her Majesty's Government.

Encl. 2, 3, 4,
5, & 6.

The sum 44,717 dollars is small, but it will serve to cover a part of the necessary expenditure incurred in opening the communications of the country.

10. I have not received Mr. Commissioner Hicks' accounts, but his present collection will not add materially to the sum in hand, until the certificates of the whole sum pre-paid for mining fees, as per Abstract No. 2, has been withdrawn by the issue of mining licences.

11. I cannot yet furnish an account of expenditure, but that will be supplied in due time.

12. The road into the interior of Fraser's River by the Harrison valley, so indispensable necessary for the transport of food and supplies for the numerous bodies of miners, who have pushed, reckless of consequences, and badly provided with food and clothing, into the interior, is an expensive undertaking, and will absorb a great part of the present revenue.

13. I am exceedingly anxious to establish that communication thoroughly before the winter sets in, to remove all cause of complaint against the Government, and to save British Columbia from becoming a byword and a reproach.

14. Government will have to grapple vigorously with the arduous and expensive operation of opening a great system of roads, and providing access to the remote settlements of British Columbia, before its mineral resources can be developed, and become a fruitful source of revenue.

15. The whole sea-coast of British Columbia, from the American boundary on the 49th parallel of latitude up to the Russian possessions, exhibits continued chains of mountains, broken and penetrated only by the valley of Fraser's River, which drains

BRITISH
COLUMBIA.

the great central plateau that stretches eastward from the coast range to the Rocky Mountains.

16. The other rivers debouching directly into the sea on the coast of British Columbia take their rise in the coast range, so that Fraser's River is the only great artery of the country, and the only river which, traversing the whole extent of the colony, affords the least difficult access to the remote valleys of the interior.

17. To accomplish that great object of opening up a very inaccessible country for settlement, by the formation of roads and bridges immediately and pressing wanted; to provide public buildings for the residence of the officers of the Crown, for the use of the judiciary, for offices of record; and, in short, to create a great social organization, with all its civil, judicial, and military establishments, in a wilderness of forest and mountain, is a herculean task, even with all the appliances of wealth and skill, and it must necessarily involve, in the first place, a large expenditure, much beyond the means of the country to defray.

18. I will, however, do everything in my power to make the colonial revenue meet as large a portion of the public expenditure as is consistent with its means and early development, but more than that I am sure it is not the wish of Her Majesty's Government to require.

19. My own opinion of the matter is that Parliament should at once grant the sum of 200,000*l.*, either as a free gift or a loan to be repaid hereafter, in order to give the new colony a fair start in a manner becoming the great nation of whose empire it forms a part. The acquisition is worth the sacrifice, which will soon be largely repaid by the power and influence and wealth to be derived from the new possession.

20. In the meantime, until the colony is in a position to afford a sufficient revenue to defray the expenses of its Government, I have to beg your instructions as to the payment of the salaries of the public officers, and of the cost of public buildings. I presume the necessary funds will be provided, and that I am authorized to draw on the Colonial Department for such sums as may be wanted for the public service.

21. I have not yet taken advantage of the authority granted in your letter to appoint a treasurer, nor have I established a gold escort, nor commenced giving Government receipts in lieu of deposits of gold, and for the reason that I have not been able to secure the services of officers to whom I could intrust the execution of those important duties.

22. In proposing to establish a gold escort I had no other object in view than to confer a substantial benefit on the miners, by providing a secure means of transport from the mines to Victoria, where the gold would have been deposited in the public treasury until called for by the owner, and the whole expense of transport was to be defrayed by a charge on the deposits. I also felt that the proper influence of a Government is confirmed and extended by such useful services. I was afraid, however, to undertake the measure without the aid of efficient officers, as it was adding to the labour and responsibilities under which I have been so often almost ready to sink, having for the last six months discharged unaided the whole functions of two distinct governments.

23. We have arranged a postal system on a small scale, which provides for the present wants of the country, and the receipts of postage pay the whole expense of the Department.

24. I shall not fail to attend to your instructions in respect to the employment of the public surveyors, who will begin to operate on the soil of British Columbia with as little delay as possible.

25. I shall also give careful attention to your instructions on the important subject of future government, and will reserve its consideration for a future and separate Despatch, after receiving the additional directions which it is added in your Despatch are to be forwarded with my commission.

Enclosure 7.

26. I lost no time in attending to your instructions, and have now the honour of transmitting herewith a report on the harbours of Vancouver's Island, prepared by Captain Richards, commanding H.M. surveying ship "Plumper," which contains a great deal of useful information on the subject treated. I will procure and forward further information by every opportunity.

27. I will moreover, as you have considerably suggested, not enter upon any acts of general legislation until I am fully authorized thereto.

Having thus replied to the several points in your Despatch,

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

Enclosure 1 in No. 7.

To his Excellency JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies, Commander-in-Chief and Vice-Admiral of the same, &c. &c. &c.

SIR,

Victoria, October 27, 1858.

BRITISH COLUMBIA.

Enclosure 1 in No. 7.

In compliance with your Excellency's request, I have the honour to submit to your Excellency the following plan for the organization of a Civil and Criminal Judiciary in British Columbia.

A Supreme Court, composed of a Chief Justice and two Puisne Judges, to have jurisdiction in all civil pleas and cases whatsoever in law and equity where the amount involved shall be fifty pounds or more. This Court to hold four terms in each year, to wit, Hilary, Easter, Trinity, and Michaelmas. The sittings of these terms to be in banc for the hearing and final determination of all matters brought on appeal and the correction of error.

A registrar or clerk, with a seal.

The justices of the Supreme Court shall appoint the time and place for the holding of nisi prius and assize in the several districts. Four terms of such Court shall be held in each district every year, and they shall assign among themselves the terms each shall respectively hold in such districts.

They shall have jurisdiction for the trial of all matters, both civil and criminal, in law and equity, subject to appeal to the Supreme Court, by writ of error or bill of exceptions taken at the trial, in all cases where the amount involved shall exceed fifty pounds, or offence charged involving punishment of higher grade than imprisonment for one year or fine exceeding one hundred pounds.

There should be in each district a judge having jurisdiction in all matters ecclesiastical, involving the estates of deceased persons, custody of the person and estates of infants, lunatics, and persons of weak or unsound mind, and in all civil cases where the amount claimed does not exceed fifty pounds. They shall also preside at the Court of Quarter Session held in their respective districts for the trial of petty crimes and misdemeanors. They shall hold a term once every month.

There should be two or more justices of the peace in each district, with jurisdiction to take information in all criminal cases, and when proper to issue warrant of arrest, and to examine the case; if the information be for a petty offence, to summarily hear, try, and determine the same; if for felony or misdemeanor, to hold to bail or commit to jail to be tried by Court of Sessions or Court of Assize.

The justices to report monthly to the Governor the number of arrests, what for, trials, acquittals, convictions, commitments, amount of fines collected, &c. &c.

There should be appointed a high sheriff for each district, whose duty it shall be to attend the sittings of the Supreme Court when held in their district, the Court of Nisi Prius, and assize terms, and the Court of Quarter Session, to enforce the law and execute all the process of the several Courts enumerated.

An efficient constabulary force, to preserve order and carry into effect the process, orders, judgment, and sentences of the justices of the peace, &c. &c., and Court of Sessions, and when necessary to aid the sheriff in the execution of any process, and when required by the sheriff to aid him in the execution of any process.

Justices of the peace may from time to time, in their discretion, appoint, under oath, special constables to enforce the law and carry into effect their orders and sentences.

There should be in each district a suitable building for the holding of the several Courts, and a common jail. In the district where the Supreme Court sit in banc a more commodious building will be required, with proper Court room, judges' chambers, offices for the registrar or clerk, and sheriff.

I beg leave to suggest to your Excellency the paramount necessity of proper legal books and statutes for the use of the various Courts and public officers. Without these indispensable adjuncts the law will be imperfectly understood and badly administered. It matters not however brilliant a presiding judge may be, he will find a constant recurrence to legal books and the statutes absolutely necessary to the just administration of law. A public expenditure for this purpose will be found most wise and salutary. The want of these necessary aids has greatly embarrassed the discharge of duties pertaining to the office your Excellency has been pleased to assigned me.

I have, &c.

(Signed) GEORGE PEARKES,

Crown Solicitor and Attorney.

Enclosure 2 in No. 7.

BRITISH COLUMBIA.

ABSTRACT OF MONIES received for GOLD MINING LICENCES (prepaid).

Enclosure 2 in No. 7.

Victoria:				Dollars. cents.	Dollars. cents.
Amount received	-	-	-	24,970 00	
Less expense of collection	-	-	-	2,567 25	
"Satellite:"					22,402 75
Amount received	-	-	-	1,520 00	
Less expense of collection	-	-	-	480 75	
"Recovery:"					1,039 25
Amount received	-	-	-	6,888 61	
Less expense of collection	-	-	-	889 35	
					5,999 26
					\$ 29,441 26

E.E., Victoria, Vancouver's Island,
October 4, 1858.

(Signed) ALEX. C. ANDERSON,
Collector.

PAPERS RELATING TO BRITISH COLUMBIA.

Enclosure 3 in No. 7.

BRITISH
COLUMBIA.

BRITISH COLUMBIA.

Enclosure 3 in
No. 7.

ABSTRACT of MONIES received for SUFFERANCES.

	Dollars. cents.	Dollars. cents.
Amount collected by H.M.S. "Satellite" -	270 00	
Less expenses of collection - - -	119 90	
		150 10
Amount collected by the Hudson's Bay Company's brigantine "Recovery" - - -	1,235 00	
Less expenses of collection - - -	986 55	
		248 45
		<u>\$398 55</u>

E.E., Customs, Victoria,
October 4, 1858.(Signed) ALEX. C. ANDERSON,
Collector.

Enclosure 4 in No. 7.

Enclosure 4 in
No. 7.

BRITISH COLUMBIA.

ABSTRACT of MONIES received on account of HEAD MONEY, from June 12 to September 30, 1858.

	Dollars. cents.	Dollars. cents.
Amount collected - - - - -	5,761 50	
Less expenses of collection - - -	288 08	
		<u>\$5,473 42</u>

E.E., Customs, Victoria,
October 24, 1858.(Signed) RODERICK FINLAYSON,
pro Collector.

Enclosure 5 in No. 7.

Enclosure 5 in
No. 7.

BRITISH COLUMBIA.

ABSTRACT of MONIES collected on account of DUTIES, from August 30 to October 26, 1858.

	Dollars. cents.	Dollars. cents.
Amount collected - - - - -	9,996 08	
Less expenses of collection - \$499 80		
Less amount of duties remitted } on goods lost per "Sea Bird" }	92 50	
	592 30	
		<u>\$9,403 78</u>

E.E., Customs, Victoria,
October 24, 1858.(Signed) RODERICK FINLAYSON,
pro Collector.

Enclosure 6 in No. 7.

Enclosure 6 in
No. 7.

BRITISH COLUMBIA.

RECAPITULATION of ABSTRACTS.

Mining Licenses - - - - -	\$29,441.26
Sufferances - - - - -	398.55
Head Money - - - - -	5,473.42
Duties - - - - -	9,403.78
	<u>\$44,717.14</u>

E.E., Customs, Victoria,
October 24, 1858.

Enclosure 7 in No. 7.

Enclosure 7 in
No. 7.

COPY of LETTER from GEORGE HENRY RICHARDS, Captain H. M. Surveying Ship "Plumper," to Governor DOUGLAS, dated Birch Bay, Gulf of Georgia, October 23, 1858.

SIR,

WITH reference to your letter of the 14th instant, requesting me to furnish you with a general report on the harbours of Vancouver's Island and the coast of British Columbia, together with such other information as I may have gained in the course of the maritime survey the "Plumper" is engaged in,

I have now the honour to forward you the enclosed report. The pressing calls on my time, in connexion with the boundary survey, have, I regret to say, obliged me to make it more general and cursory than I could have wished; but I feel at the same time that your Excellency's thorough acquaintance with every subject connected with these countries must render any observations from me, except in a strictly nautical sense, almost superfluous.

BRITISH
COLUMBIA.
—
Sub-Enclosure.

I have, &c.

(Signed) GEORGE HENRY RICHARDS,
Captain of H. M. Surveying Ship "Plumper."

Sub-Enclosure.

Sub-Enclosure.

THE Strait of Fuca is the great thoroughfare through which ships must pass to reach the ports and harbours on the southern and eastern coasts of Vancouver Island, as well as those of British Columbia adjacent to it on the continent, and through the centre of this strait runs the boundary line which separates the British possessions from those of the United States of North America.

Its entrance lies between the parallels of $48^{\circ} 23'$ and $48^{\circ} 35'$ north latitude, and in the meridian of $124^{\circ} 45'$ west longitude; Point Bonilla on Vancouver Island being its northern point, and Cape Flattery (or Classet) of Vancouver its southern; its direction is nearly east and west for about seventy miles, or to its junction with the channels, which lead by a northerly course to the Gulf, or more properly speaking the Strait of Georgia, which separates Vancouver Island from the continent of America.

The Strait of Fuca maintains an average width of about eleven miles, and is free from hidden dangers.

The approach is safe for all description of vessels, being subject to no other dangers than those incident to gales and fogs, the former are not frequent during summer, and the prevailing winds at that season are from S.W. or N.W.; during the winter months, or from October until March, S.E. gales are not unfrequent, but generally with considerable intervals of tranquil weather. Fogs, often lasting for several days together, prevail in October, November, and December, and present the greatest difficulty with which the seaman has to contend; his soundings, however, are a good guide, and in moderate weather he will generally find anchorage within a mile of either shore.

The facility of entering and navigating this strait has lately been much increased by the erection of lighthouses on the southern shore by the Government of the United States.

That of Cape Flattery is an admirable light, and may be seen at the distance of twenty miles in clear weather. It is erected on the small island of Tatouche, a mile from the pitch of the cape, and is 162 feet above the sea level. The light of New Dungeness is also of the greatest assistance to the navigator; it is built on the spit of that name, sixty-seven miles eastward of Cape Flattery, and is 100 feet above the sea level; a fog bell is attached to the lighthouse.

Within the last few days a light has also been shown on Smith or Blunt Island, which lies almost in the centre of the strait, at its eastern termination. In order to render the strait perfectly safe and accessible to vessels at all times, I should recommend that the British or Vancouver shore, should be lighted in a similar manner. Thus, a light should be placed on Bonilla Point, opposite to Cape Flattery, and distant thirteen miles from it, and another on the Race Islands, a dangerous cluster of rocks at the S.E. point of Vancouver Island, and only nine miles from the harbour of Esquimalt; this latter is essentially and immediately necessary, as all vessels bound for either Esquimalt or Victoria round these rocks at no great distance, and strong and uncertain tides and races exist among them.

It would also be very desirable that a harbour light should be placed at the entrance of Esquimalt, which would enable vessels to enter at night or pick up an anchorage in Royal roads outside.

There are, of course, many other points on which it would be necessary to place lights, in order to render the Haro and Rosario Straits, as well as the Gulf of Georgia, navigable at night, and as commerce increases they will doubtless be considered; but those I have already mentioned are all that are requisite to the safe navigation of the Strait of Fuca, and to enable the seaman to reach by night or day the harbour of Esquimalt and Victoria on Vancouver Island, and the numerous ports of the United States on the continent between New Dungeness and Admiralty Inlet.

Before quitting the Strait of Fuca, it seems desirable to offer a few remarks on the anchorages on both its shores, though there are none which, strictly speaking, can be considered as good harbours, available to a ship in distress.

On the Vancouver shore are, firstly, Port San Juan, thirteen miles eastward of Bonilla Point, and an equal distance from Cape Flattery; this is a spacious bay with a very convenient depth of water, well sheltered from all but S.W. winds, which would send a swell into it. I imagine, however, that ships with good ground tackle would ride out in safety almost any gale, and vessels of moderate size might even find shelter from these winds.

Between Port San Juan and Sooke Inlet, a distance of thirty-two miles, there is no sheltered anchorage. The Basin of Sooke, though a magnificent anchorage capable of holding a fleet, and perfectly land-locked, is entered by a narrow and somewhat intricate channel, scarcely adapted for sailing vessels. There is anchorage off its entrance, and a stranger with the chart could run sufficiently far in to gain shelter from any wind; to a steamer there is no difficulty. Becher Bay is four miles eastward of Sooke Inlet, and if a vessel should be caught in a gale from the S.E., and not able to weather the Race rocks, she could gain good shelter by running into it, and anchoring inside Frazer Island.

Having once rounded the Race rocks, however, the harbour of Esquimalt, only nine miles distant, can always be reached with any wind that would bring bad weather.

Parry Bay, four miles northward of the Race rocks, offers good anchorage to vessels bound out of the straits and meeting with a strong westerly wind.

On the south side of the strait are several stopping places. Neeah Bay, five miles eastward of Cape Flattery lighthouse, offers good shelter with westerly winds or with those from east or S.E.

Callum Bay, sixteen miles from the eastward, is also used as a stopping place for vessels wind bound.

BRITISH
COLUMBIA.

Port Angelos, fourteen miles from New Dungeness, is sheltered from all winds; while New Dungeness itself offers secure, though rather deep, anchorage to a vessel seeking shelter.

I will now offer a few observations on the harbour of Esquimalt, which, from its position and capabilities, would appear destined to become the emporium not only of Vancouver Island, but also in a great measure of the new colony which has just been called into existence under the name of British Columbia. Though not a first-class harbour in point of size, it has ample room for twelve ships of the line, besides many smaller vessels. It affords good shelter, and the holding ground is good; it is easy of ingress and egress; the shores of its numerous bays and creeks are well adapted for wharfage, with sufficient depth of water for merchant ships to lie alongside. There are good sites for docks, although from the small amount of rise and fall of tide, ten to eleven feet, some excavation would be necessary, to which the nature of the bottom appears to offer no difficulty. Limestone is obtainable, and, in common with all the harbours of Vancouver Island, its shores are thickly timbered.

It is not, however, free from the defect which is common to the island generally, viz., the scarcity of natural springs of water in summer; but water can be always obtained by sinking wells to a sufficient depth, and there is an inexhaustible lake within a short distance of the western side of the harbour, whose waters could be conducted to the sea side at a very trifling expense.

There is yet another cause which must add to the importance of Esquimalt in a maritime point of view, which is that it is at the extremity, as it were, of sailing navigation. Although the Gulf of Georgia and the channels leading into it have been navigated by sailing vessels, yet the disadvantages are obvious and very great, and the loss of time incalculable. The general absence of steady winds among these channels, the great strength and uncertainty of the tides, and the existence of many hidden dangers could not fail to be productive of constant accidents, and in a commercial point of view such a class of vessels could never answer. The time, I apprehend, is passed also when ships of war without steam power would be likely to visit these waters.

Esquimalt is, therefore, well adapted as a port of entry for sailing ships making the long sea voyage from England or other distant countries, and is equally well suited as the *dépôt* and starting point of a line of steamers for the Frazer River or other ports in British Columbia.

The harbour of Victoria, three miles from Esquimalt, though it can never cope with the latter as a naval *dépôt* or as a haven for large merchant ships, on account of its intricate and shallow entrance, is nevertheless far from being unimportant. Vessels of considerable draught can enter by attending to the tides, and when within there is ample space and depth for a large number of ships. Near the head of Victoria it is only separated from Esquimalt by a narrow neck of land, through which it seems probable at no distant time a canal will connect the two harbours.

Ten miles eastward of Esquimalt, the coast of Vancouver Island turns abruptly to the N.N.W., and here commences an archipelago which extends eastward to the continent for thirty miles, and northward for about the same distance; through this archipelago there are three distinct ship channels leading into the Gulf or Strait of Georgia.

The question through which of these channels the boundary line is to be continued from the Gulf of Georgia to the Strait of Fuca is at present pending between the British Government and that of the United States of America.

The three channels in question are the Haro Strait, the Middle Channel, and the Rosario Strait.

The Haro Strait lies between Vancouver Island and the principal islands composing the archipelago; the Rosario Strait between the continent and the same group; and the Middle channel, as its name imports, divides the group, taking an almost central direction through the whole.

I have already observed that these channels are essentially adapted to steam navigation, and I will add that so soon as the survey now in progress is completed and published (probably in the course of the next year), they will be perfectly safe navigable channels for the largest class of ships with adequate steam power.

The Rosario and Haro Straits are probably on a par, as regards their capabilities, and if lighted would be safely navigated by night.

The Middle Channel is narrower, and has a somewhat encumbered southern entrance; it would, therefore, probably not be chosen at night, though by day it is equally safe as the others, and possesses some advantages from being more sheltered.

There are safe and good anchorages in each of these straits; to describe them individually here would, I presume, be unnecessary, as they will all be minutely shown on the chart which is in course of completion, and which will doubtless be published so soon as received at the Hydrographic Office.

I may, however, mention generally the capabilities of the principal of them.

In the Haro Strait, Cordova Bay on the western or Vancouver shore offers good anchorage.

On Stewart Island, which helps to form the eastern side of the strait, there are snug and land-locked harbours, easily accessible to steamers; and among the Saturna group—the western boundary of the strait, where it enters the Gulf of Georgia—there is good shelter for a fleet, accessible either to sailing vessels or steamers.

In the Middle Channel the principal anchorage is in Griffin Bay, San Juan Island, one mile within the southern entrance; this is in all respects an eligible harbour; and I may add that the island of San Juan is the only one of any considerable size which is valuable, in an agricultural point of view, among the whole archipelago.

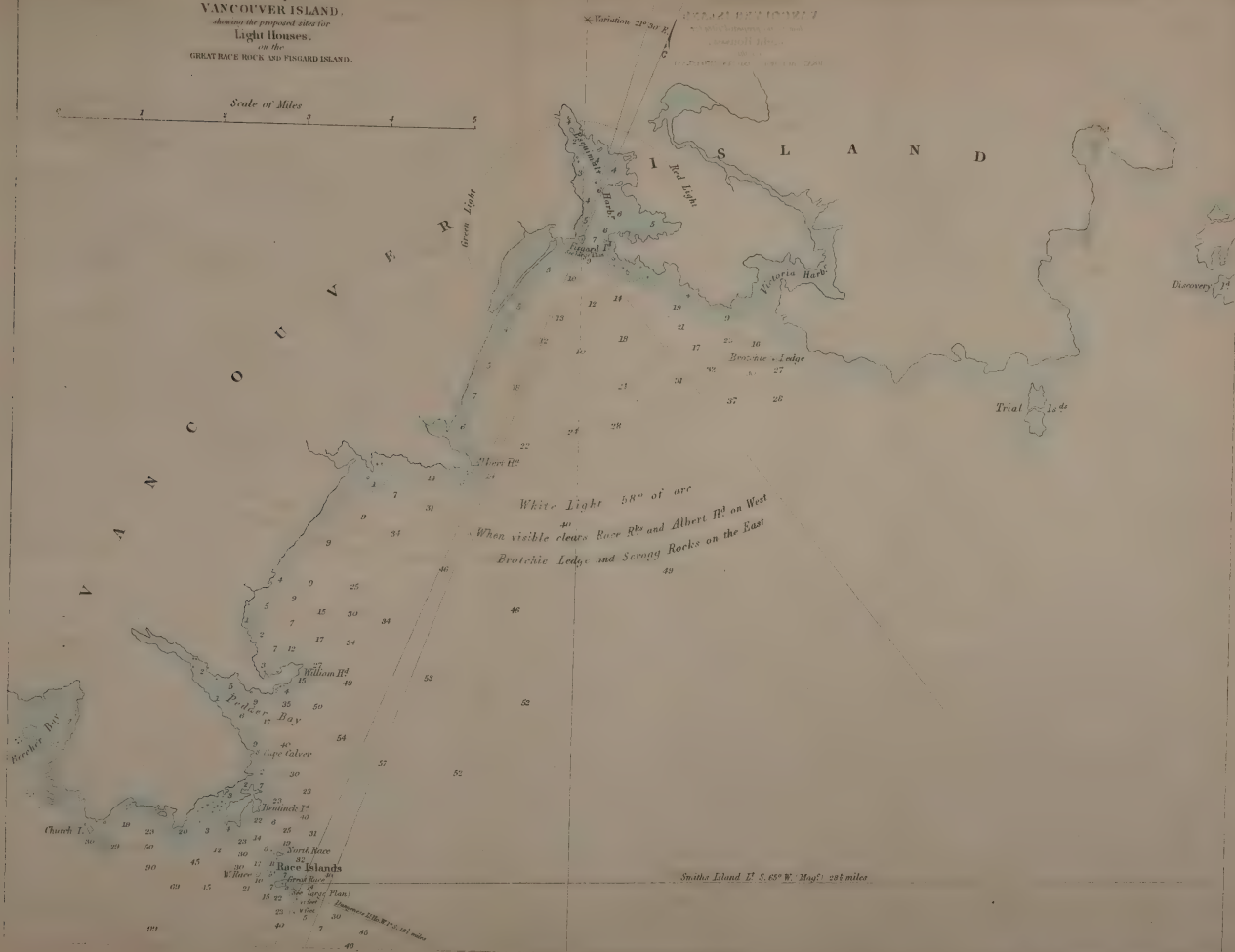
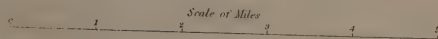
There is another good harbour, though somewhat small, in the Middle Channel; it is also on the eastern side of San Juan, four miles northward of Griffin Bay.

On Waldron Island there are two good anchorages.

In the Rosario Channel there are also several good anchorages,—on the eastern side, almost at its entrance, between Barrows and Fidalgo Islands, and on the western side equally near the entrance. The eastern shore of Lopez Island offers good shelter. Further north, in the channels between Fidalgo and Gurmies Islands, in the prosecution of our survey, we found convenient anchorage; and Strawberry Bay of Vancouver, on the west side of Cypress Island, is an eligible place of shelter.

The island of Orcas, the largest of the whole group, possesses two extensive sounds, which may be entered by the largest steamers with great facility both from Rosario and the Middle Channels, and either of them are capable of holding the largest fleets.

South East part of
VANCOUVER ISLAND,
showing the proposed sites for
Light Houses,
on the
GREAT RACE ROCK AND FISHER ISLAND.

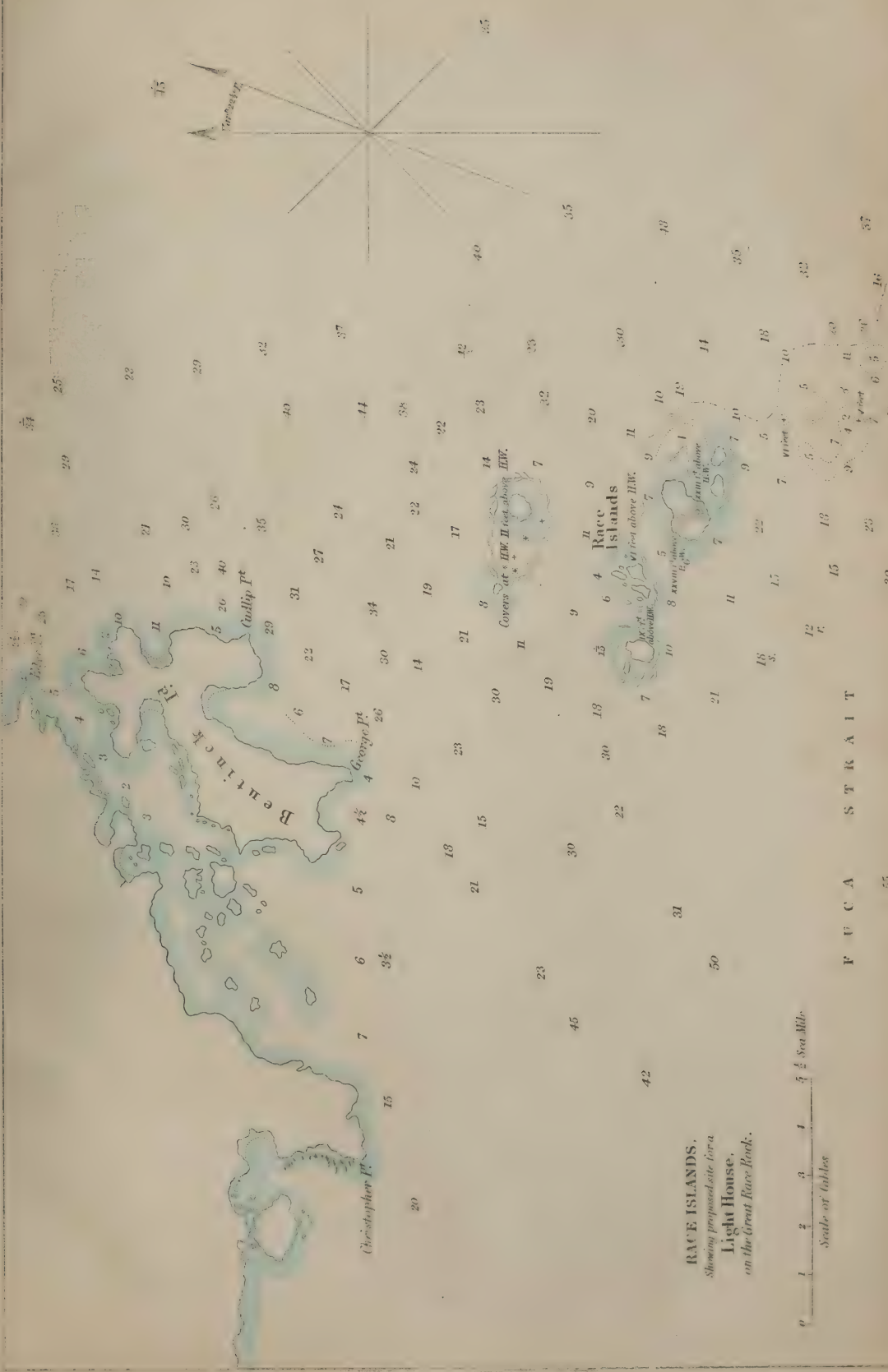


Variation $21^{\circ} 30'$ East

Scroggs Cove at Floor
Rocks
Butters Island

Entrance of
ESQUIMAULT HARBOR.
showing the proposed site for a
Light House,
on Fisguard Island.





Bellingham Bay, on the eastern shore of Rosario Channel, is an extensive sheet of water, affording good anchorage, and where the Americans have more than one town or city. Coal has been found and partially worked here.

On leaving the archipelago by either of the channels just mentioned we enter the Gulf of Georgia, which is here formed by the continent of America on the east, and by a narrow chain of islands lying immediately off Vancouver Island on the west, and is about twelve miles in width.

On its eastern shore, twelve miles to the northward, is Semiahmoo, or Boundary Bay; on the sea-coast of which the 49th parallel first enters the waters of the gulf, and, continuing west, passes through the tongue of land known as the Point Roberts, of Vancouver, leaving something more than a mile and a half of this point, by the Oregon treaty of 1846, in the possession of the United States. In that portion of Semiahmoo Bay which lies south of the parallel there is a small but good anchorage, known as Drayton Harbour. In that portion which lies north of the parallel, and consequently belongs to Great Britain, there is no harbour; but there is, nevertheless, good anchorage, unless with strong southerly gales, and this anchorage is little over half a mile from Drayton Harbour.

At Point Roberts in like manner, both on its eastern and western faces, there is very fair anchorage on the American side of the parallel; while on the British side there is no anchorage to the eastward, and a very indifferent one to the westward.

Seven miles northward of Point Roberts is the entrance of Frazer River, the general direction of which is north-easterly and northerly, and lying wholly in British territory; it is navigable for large ships for more than twenty miles, or as high as the position of Fort Langley; from thence small flat steamers have been as high as Fort Hope, a further distance of about fifty miles.

There seems no doubt, from the natural capabilities of this river, that it is the most favourable spot that could be chosen as the future capital of British Columbia. My personal experience and knowledge of the country extends at present no farther than the entrance, which has been this year examined and surveyed by the officers of the "Plumper;" but from the concurrent testimony of those who are qualified to judge, and among these I would mention Dr. Lyall, the naturalist and surgeon of the ship (at present engaged in the interior), the country, a few miles within the entrance, is in all respects suitable as the site of a new colony.

As regards the probability of superior coal to that found on Vancouver Island being discovered on the continent, I have not had an opportunity of judging; but doubtless Mr. Bowerman, the geologist of Major Hawkins' expedition, could afford valuable information on that and on many other points.

The facilities for entering the river, however, appear to me to bear more particularly on maritime and commercial interests, and to come more immediately within my province to describe; on this point I am able to offer an opinion with some confidence.

An extensive bank or series of banks extend westward from the mouth of the river for a distance of five miles, and then trends south-eastward until it nearly joins the western side of Point Roberts, and northward towards Point Grey, which is the southern entrance point of Burrard Inlet; through this bank the river, by the strength of its own stream, has forced an almost straight passage into the Gulf of Georgia, in a direction nearly S.S.W. In the shoalest part of this channel there is twelve feet at low water, and from eighteen to twenty feet at high; this shoal part extends but little over a mile, and both inside and outside the depth of water is considerably greater. At the outer sand-heads of the entrance the width of the passage is more than three cables' length; but this width contracts considerably within, and at the shoalest part is not over a cable and a half.

The south sand-head uncovers at low water, the other does not, but with a fresh wind the sea breaks on it; when within the sand-heads there is good anchorage in four to five fathoms.

The greatest difficulty attendant on the navigation of Frazer River is to hit upon the entrance, which only shows itself at low water, or when, in consequence of gales, the sea breaks on it.

It is true, there are natural leading marks which will point it out approximately in clear weather, but these marks are so distant and so frequently obscured that they can rarely be depended upon, and even in clear weather would not always be recognized by a stranger.

The measures I would propose to be adopted, to render the navigation safe and easy, in the event of the river rising in commercial importance, are as follows:—

A small vessel, prepared for the purpose to carry a signal by day and a light by night, should be moored, with suitable anchors and chains, near the south sand-head; on board her should be stationed a pilot, provided with a whale-boat, and whose especial duty it should be to keep the buoys in their position, and replace them if carried away by tide or floating timber. I would not recommend any expensive system of buoying; a few buoys—perhaps four or six—made from the trunks of trees, painted, and moored with chain and ballast, would answer all the purpose; the pilot's services would not then be required to conduct vessels through the shoals unless by any accident the buoys were removed. There should also be one or more river pilots, according to the demand for their services, to conduct vessels, after they have entered the river, as far as Fort Langley.

I should observe that after clearing the shoals there is sufficient water for vessels of any draught as high as Langley—five, seven, and, in some places, ten fathoms, and all that would be required would be a knowledge of the channel, which never alters.

If the light vessel should be considered objectionable, then a suitable beacon should be erected on the south sand-head, to point out its position; though I much doubt, from the nature of the sand, whether such a beacon would remain for any length of time. A buoy would also be objectionable, as a vessel must frequently be employed to examine the moorings, and it is liable to be carried away by floating trees.

Moreover one of the principal uses of the vessel would be as a dwelling for the pilot, who at the entrance of the river proper would be five miles from his station; besides the land at the entrance is very low and swampy for some considerable distance, and subject to be entirely overflowed at one season of the year.

In conclusion, the Frazer has this great advantage over the generality of large rivers; instead of emptying itself into an exposed ocean, as the Columbia does, where even a moderate breeze frequently

BRITISH
COLUMBIA.

raises a sea on the bar such as to cause shipwreck and great loss of life, it debouches into a sheltered strait.

The neighbouring coast of Vancouver, distant only twelve miles, forming a breakwater to all but north-west winds, with which ships could run into Semiahmoo Bay, and find secure anchorage. Although vessels have frequently grounded on the shoals of Frazer River, I believe that no case of shipwreck or loss of life or property has resulted therefrom.

Immediately north-westward of Frazer River commences that series of deep and remarkable inlets, concerning which almost the only information we possess is derived from the hurried and partial exploration of Vancouver in the last century. It does not seem probable that any great extent of agricultural land is to be found among them, though doubtless their mineral treasures only require development.

It now remains to consider what may be termed the inner waters of Vancouver, which, both to the commercial and agricultural colonist, will assuredly be second in importance to no other portion of the island.

The eastern side of the island then, from its south-east point to the harbour of Nanaimo, a distance of about 70 miles, is enclosed by a compact barrier of smaller islands, completely shutting it in from the Gulf of Georgia, except by two narrow channels to the eastward and one very narrow one leading into Nanaimo Harbour, the only wide entrance into these waters being from the southward, a divergence from the Haro Strait.

Within this space lie the fertile valleys of Saanitch and Cowitchin, which, as well as many of the smaller islands, appear well adapted for cultivation.

The channels are admirably suited to steam navigation or to sailing coasting vessels, for the tides, except in the narrow passes which communicate with the Gulf of Georgia and Nanaimo, are by no means strong.

The depth of water as a general rule is inconveniently great, but the result of the survey, so far as it has been carried out, proves that there are numerous good and convenient anchorages; doubtless many others will be found as the work progresses.

The harbour of Cowitchin and the Saanitch Inlet are among the most important of these inner waters; the former affords excellent anchorage, and a river of considerable extent runs into its head, which is navigable for boats, and may be adapted to mill power.

Saanitch Inlet runs in a southerly direction for nearly fifteen miles, its head reaching within five miles of the harbour of Esquimalt. Neither of these localities have yet been thoroughly surveyed by us, but doubtless the officers of the Hudson Bay Company are well acquainted with their capabilities.

Of Nanaimo, which, on account of its coal mines, is already one of the most important harbours on the island, it seems necessary to offer a few remarks.

It is a well sheltered port, having a good entrance from the Gulf of Georgia, and another from the south by the inner waters before described. This latter is very narrow, though with a good depth of water, and a very rapid tide runs through it. It is generally used by small steamers, and there is no reason why it may not be taken advantage of by vessels of any size, having sufficient steam power, when surveyed.

The saving of the distance from Esquimalt to Nanaimo by the inner channels is twenty miles, the whole distance being about sixty-six miles. By the Haro Strait and Gulf of Georgia it is about eighty-six miles. The harbour of Nanaimo, though a good one, has some banks which should be buoyed to render it safe for a stranger to enter (some temporary beacons are already erected by the Hudson Bay Company). A good pier has lately been built, alongside of which vessels may lie and coal with great facility. As much as 150 tons has been taken by one vessel in a day, and several vessels together might take in the same quantity. Several thousand tons are ready for shipping, and the miners easily keep that quantity on hand. As regards the quality of the coal, it more resembles the Newcastle than any other, and is but little inferior to the average of that description; it answers very well for steam purposes, but produces a dense smoke, and the tubes of the boilers require sweeping more frequently than with any other coal I am acquainted with. There are some good streams at and near Nanaimo well adapted to mill power, and there are other good harbours in the vicinity, close to coal beds, but which have not yet been surveyed.

Of the several inlets and sounds which indent the western coast of the island but little is yet known. Since the time of Vancouver they have been rarely visited except by sealers and small vessels, who trade with the natives for oil and fish.

The knowledge which these men have gained I have rarely found them willing to communicate; they possibly make a good harvest, and are unwilling that their preserves should be more frequently disturbed.

Many years since I visited Nootka Sound, which probably may be taken as a type of the others. Their general characteristic, deep and narrow channels, studded with islands and thickly timbered; spars of large size procurable, and probably those of a superior kind will be found at the head of these arms, which in some instances reach midway to the eastern coast of the island. It is more than probable that when the tide of emigration shall set in the direction of Vancouver Island, these inlets will become of great importance, particularly that of Nitinat or Barclay Sound on the S.W. coast, close to the entrance of Fuca Strait, and the head of whose waters has been reached in little more than a day's journey on foot, from the coast a few miles north of Nanaimo Harbour on the east coast. Mr. Horn, a gentleman of the Hudson Bay Company who made this journey, informs me that he crossed a very extensive lake in the centre of the island, and that much good and open land exists in its neighbourhood entirely free from the dense forests which fringe the whole sea-coast of the island.

It is also certain that valuable fisheries might be established in these deep sounds, and great quantities of good oil exported; and it more than probable, nay, almost certain, that seams of coal will be discovered.

GEORGE HENRY RICHARDS,
Captain H.M.S. "Plumper," Vancouver Island Survey.

No. 8.

BRITISH
COLUMBIA.

No. 8.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 7.)

Victoria, Vancouver's Island, October 27, 1858.

(Received December 14, 1858.)

(Answered, No. 16, February 7, 1859, p. 78.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your Despatch, No. 9,* of the 14th of August, and I hasten to attend to your requisition for information on the subject of the disposal of land in British Columbia to companies or private individuals.

* See Page 49,
Part I.

2. In order to meet your instructions more fully on that subject, I directed Mr. Surveyor Pemberton to draw up a report describing in a general manner the existing arrangements for the sale of land on Vancouver's Island, and the proposed arrangements for the sale of land in British Columbia. That report I have now the honour of herewith transmitting to you. It embodies my own views on the subject of land sales, except on one or two points.

Enclosure.

3. Mr. Pemberton, for instance, suggests that the system of receiving payment for Crown lands by four annual instalments, instead of immediate payment, should be abandoned, on account of the trouble and difficulty of collecting the instalments; but reasons equally cogent may be urged in support of the existing system, such as the benefit and relief it gives to poor settlers, and I am therefore of opinion that the same system may be extended with advantage to British Columbia in all sales of country lands exceeding fifty acres, but not in sales of town lands, which are always paid for on receiving the title deeds.

4. We propose to sell country land in Fraser's River and other mining districts at the fixed price of 1*l*. per statute acre, and town land according to the public value of the site, I think however it might be advisable to adopt a lower selling price than 1*l*. per acre, in purely agricultural districts, where no minerals are found, for the purpose of encouraging early settlement. That, however, is an arrangement which may be reserved for further consideration.

5. I propose for the present to reserve all mineral lands, which are generally speaking unproductive under cultivation, for the purposes of revenue, such as a great part of the narrow belt of table-land, extending from the river to the mountains on the banks of Fraser's River, between Forts Hope and Yale.

6. A series of meteorological observations would no doubt be highly interesting to the public, and we propose to have them taken at the surveying offices as soon as they are established, and we are supplied with the proper instruments.

7. With these few observations I will close my remarks on Mr. Pemberton's report.

8. I beg also to assure you that we shall attend to the instructions contained in your said Despatch, concerning the disposal of land; preventing persons from squatting on the public lands; keeping separate accounts of all revenue derived from the sale of land, and its application at present to the purposes of survey and communication, and the necessary accounts will be furnished from time to time after the public lands are brought into the market.

9. I shall also not fail to give effect to your views in regard to the naturalization of foreigners, and you may rest assured that there will be no just cause of complaint for favours shown to the servants of the Hudson's Bay Company; and that every precaution will be taken to repress speculation and land-jobbing, and to protect the public interests committed to my care.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

Enclosure in No. 8.

Encl. in No. 8

Land Office, Victoria, Vancouver's Island,
October 26, 1858.

SIR,

I AM honoured with your instructions requiring me to describe in a general manner existing arrangements for the sale of lands in Vancouver's Island, and secondly, proposed arrangements for sale of lands in British Columbia.

In Vancouver's Island we consider lands, as 1st, country lands; 2nd, mineral; 3rd, town; and 4th, Vancouver's suburban. Island.

II.

C

BRITISH
COLUMBIA.1st. Country
lands.

Country lands have been sold at 1*l*. per acre, in lots from 20 acres upwards, to suit the means of purchasers. To encourage settlement, payment in four annual instalments has been received, and a liberal allowance made for rock and swamp.

The minimum size for sections sold now is 100 acres, owing to difficulties in giving access to smaller quantities, and to hinder speculators from purchasing selected spots with a view to prevent the sale of surrounding lands for their own benefit. It was also found necessary to discontinue allowances for rock and swamp, in the sale of small tracts of land.

Manner in
which the sales
are conducted.
Payment by
instalments.

Until lately, the surveys easily kept pace with the purchases; if anybody required a particular piece of land, he paid for it, the lines were marked out, and he was at once put in possession.

The instalment system is still in force, but whether it is desirable to continue it here, or to extend it to British Columbia is at least questionable; it has been of the utmost benefit to poor settlers, but on the other hand it increases the amount of office work, and when settlers decline, or are unable to pay up an instalment, it is found practically impossible to collect it. For the reason last named, I should suggest the abandonment altogether of the instalment system, lowering, if necessary, the price of land.

Right to pre-
empt.

In this office I have endeavoured to act on the principle, that no pre-emption claim to land can exist which cannot be traced to the cash book. If a district has been surveyed, an applicant for land within that district is simply told that such and such sections are sold and such not, and the cash book is referred to if necessary. If a district has not been surveyed, an applicant for land within that district states the quantity of land he requires, and pays the instalment. On the receipt, a rotation number is marked. When the surveys are complete, the date of payment decides the order of choice. The books are open to inspection.

Mineral lands.

In lands where coal was supposed to exist, Nanaimo for instance, the usual deduction from the purchase money on account of rock and swamp was not made, but the full price of 1*l*. per acre was required.

Roads.

In sections of lands to be sold, we make reserves for main lines of roads only where it is certain communication is required. It is impossible at first to say with certainty in what places population will concentrate. After providing for main lines of road, I am of opinion that it should be understood, that when a district is settled, the people in it should appoint some one or two qualified persons to lay out the roads required in that district; or if the residents cannot agree, let the Legislature, when the question becomes pressing, empower some one to arrange the branch roads for them. Until a district is for the most part sold, no serious inconvenience from want of roads is felt, as access is had through unsold lands.

2nd. British
Columbia
Country lands.

In British Columbia it is proposed to use the 49th parallel as a base to build a series or network of square miles upon; every line to run true N. and S. or E. and W.

Each square mile to be subdivided into eight sections containing eighty acres each, or into six sections containing 107 acres nearly each; the latter would, perhaps, be preferable. In this system, discrepancies arising from convergence of meridians would be accounted for by selling each section for what it might actually contain.

Mineral lands.

To reserve, for the sake of revenue, lands on which minerals are known to exist. They are generally worthless for purposes of cultivation.

Town lots and
suburban lands.

When town sites are decided on, to lay out town and suburban lots, and to sell them unconditionally, but in such quantities only as would discourage mere speculative purchasers.

An upset price.

In all lands to be sold, to name an upset price; and if competition exists, to let the price offered decide.

Trigonometri-
cal surveys.

I would recommend omitting trigonometrical surveying at first, on account of the delay in bringing lands into market and allotting to purchasers, who may be expected to arrive in great numbers, and who will be put to much expense and inconvenience if not put in immediate possession of land.

Rectangular
surveyor.

The square-mile system has the advantage of surveying and allotting in the one operation; when a country is trigonometrically surveyed, it has still to be allotted.

Assistants.

Excepting the gentlemen attached to the Boundary Commission, there is a decided scarcity of men in this country sufficiently acquainted with practical astronomy, to carry this great work out, as well as of the proper instruments. If civil assistants are sent from England, some qualified person should examine strictly into their qualifications, and not be satisfied with mere credentials.

Each surveyor should come provided with all the instruments he requires, to commence the fieldwork described,—drawing instruments as well.

Offices.

It is proposed to establish district land offices at Langley, Hope, and Yale, and to place an assistant in charge of each.

Meteorological
observations.

Meteorological observations of a simple kind might be taken at those offices without occasioning loss of time; if so, a few rain-gauges, weathercocks, thermometers, and barometers would be required.

Colonization
Circulars.

When preliminary arrangements are decided on, an edition of colonization circulars, similar to those issued at the London Emigration Office, for the purpose of giving information to persons desiring to emigrate, and to save time now occupied with explanations, and cheap maps to be sold at cost and charges, would be very serviceable.

The foregoing remarks are, I think, in accordance with the instructions I have from time to time received from your Excellency.

His Excellency J. Douglas, Esq.
Governor, &c.

I have, &c.
(Signed) JOSEPH D. PEMBERTON,
Acting Colonial Surveyor.

No. 9.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 9.)

Victoria, Vancouver's Island, November 3, 1858.

SIR,

(Received January 15, 1859.)

1. I HAVE the honour of submitting the following remarks on the subject of establishing a seaport town for the Colony of British Columbia.

2. The Colony of British Columbia possesses an extent of about 500 miles of sea-coast, stretching from the point where the 49th parallel of latitude first strikes the sea-coast to the line of the Russian possessions in Portland Canal.

3. That circumstance obviously suggests the necessity of establishing in British Columbia for the convenience of trade more than one seaport town, where vessels may enter with cargoes of foreign goods.

4. One seaport town, and that of the greatest present importance should be established at the entrance of Fraser's River, and another in some convenient and accessible harbour, on the coast of British Columbia, north of Vancouver's Island.

5. There is unfortunately no convenient harbour for shipping at or in the near vicinity of Fraser's River, that is to say, between the boundary of the United States in the 49th parallel of latitude to Point Grey, at the entrance of Burrard Canal.

6. Extensive sand banks, sweeping five miles from the land into the Gulf of Georgia, and reaching from Point Roberts to Point Grey, form an open unsheltered anchorage, but there is no harbour on that section of the coast.

7. The ship channel into Fraser's River winds in a somewhat tortuous and narrow passage through those sands, and has a depth of water sufficient for vessels drawing 18 feet.

8. Beyond the sands the river increases in depth and the current in force and velocity. The banks for the first ten miles are low, being only a few feet above the water level, and there is a wide extent of wet marshy country on both banks of the river, intersected by creeks and covered with sedge, willows, and coarse grass.

9. That low, wet district passed, the country presents a new aspect, being more elevated and covered with pines and other forest trees.

10. That is the point where the seaport town can be established to the greatest advantage, and for this reason, that it is accessible to sailing vessels, which, owing to the lofty banks on both sides of the river, beyond that point, can rarely depend upon a fair wind, or ascend further without using the warp, or by the help of steam.

11. The "Port of Entry" for all ships entering Fraser's River for trade should be established somewhere about that point known as H. B. C. Tree, the first explorers of the river having marked a tree with those letters, and the point has ever since retained the name; while, for the convenience of general trade, and to prevent the risks and delays consequent on entering the river, a custom-house officer might be stationed at Point Roberts, or at some more convenient point on the sea-coast, outside of Fraser's River, to enter ships bound to other ports in the Gulf of Georgia, north of Fraser's River.

12. The accompanying chart,* showing the character of the country, near the mouth of Fraser's River, and the point where it is here proposed to place the seaport town, will be found useful for reference.

* This Chart
will be found at
the end of this
Paper.

13. I would propose another plan, which is however open to adoption only should Vancouver's Island be incorporated with British Columbia; and this is, that the safe and accessible harbour of Esquimalt, Vancouver's Island, should be made the port of entry to sea-going vessels for both Colonies, leaving the navigation of the Gulf of Georgia and other inland waters for a class of steam vessels calculated to do the work with safety and despatch. This latter plan is very popular with the property holders of Vancouver's Island, who are generally desirous of having the seaport town of British Columbia at Esquimalt or Victoria, where it now is; but if that plan should appear objectionable to Her Majesty's Government, then there will remain the alternative of selecting the point

BRITISH
COLUMBIA.

before described, about ten miles from Port Pelly, up Fraser's River, where the land is level, dry, and otherwise well adapted as a town location.

14. One of those two places will, I apprehend, have to be adopted in fixing upon the site of the seaport town of British Columbia.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 10.

No. 10.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 12.)

Victoria, Vancouver's Island, November 3, 1858.

SIR,

(Received January 15, 1859.)

* See page 51,
Part I.
C.O. 11 Aug.
1858.
Ad. 16 Aug.
1858.
C.O. 20 Aug.
1858.

I HAVE the honour to acknowledge receipt of your Despatch, No. 5,* of the 2nd September 1858, forwarding to me copies of a correspondence between the Colonial Office and the Board of Admiralty, of the dates as per margin, on the subject of affording naval assistance to British Columbia.

2. I glean from this correspondence the just appreciation you have formed of the importance of the service referred to; and I feel truly grateful for the great interest Her Majesty's Government have taken in the protection and advancement of British Columbia, as is evidenced by the nature of the instructions which this correspondence has caused to be given to the Commander-in-Chief of Her Majesty's naval forces in the Pacific.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 11.

No. 11.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 14.)

Victoria, Vancouver's Island, November 4, 1858.

SIR,

(Received January 15, 1859.)

* See page
Part I.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 8,* of the 2nd September last, referring to your Despatch No. 6, in which it is mentioned that the detachment of Royal Engineers which Her Majesty's Government have taken measures to send to British Columbia would be maintained at the imperial cost for only a limited period, and that the Colony would afterwards have to defray the expense thereof; but that the more recent intelligence received since the date of your Despatch No. 6, of the prospect of raising a large and early revenue in the Colony, had caused an alteration in your views, with respect to the first charge for the engineer party; and that Her Majesty's Government now expect that British Columbia shall be self-supporting, and that the first charge upon the land sales must be that of defraying all the expenses which the engineer party shall occasion, and directing me to make suitable provision to reimburse the British Treasury for any expenditure incurred on this account, as soon as the circumstances of the Colony permit.

2. I shall not fail to attend most carefully to those instructions, without, however, entertaining much hope of being immediately able to meet the expense of the military establishments of the country, or of roads, surveys, public buildings, and other indispensable outlay, which must be incurred before the country can possibly become a fruitful source of revenue; like a nurseling, it must for a time be fed and clothed; yet I trust it will, before many years, re-imburse the outlay, and repay the kind care of the mother country with interest.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.

No. 12.

No. 12.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 15.)

Victoria, Vancouver's Island, November 4, 1858.

SIR,

(Received January 15, 1859.)

I HAVE the honour to acknowledge the receipt of your Despatch No. 7† of the 2nd September last transmitting copies of a correspondence between the Colonial Department and the War Office, on the subject of the measures which had then been taken for sending a detachment of the Royal Engineers under the command of a Field Officer to British Columbia, and stating that Colonel Moody had been appointed to the command and to the office of Chief Commissioner of Lands and Works in British Columbia, and transmitting a copy of the instructions which had been addressed to that officer, with reference to the discharge of his duties in that capacity, and specifying the amount of regimental pay and colonial allowances to which he and the commissioned and non-commissioned officers of the detachment are entitled.

† See page 52,
Part I.

I further observe the arrangements made for the conveyance of the larger portion of this detachment by Cape Horn, and for the despatch of 20 men and an officer by the way of Panama.

2. I have no remark to make in reference to those arrangements, except to observe that in your instructions to Colonel Moody, and correspondence with the War Office, every difficulty appears to have been foreseen and provided for.

3. Colonel Moody's appointment to the office of Chief Commissioner of Lands and Works will relieve me of much responsibility, and I look forward with satisfaction to the period of his arrival and the commencement of those useful labours which will tend so much to the advantage and development of the new Colony.

The revenues of the country will not be immediately capable of defraying the expenses of this detachment, and I shall be under the necessity of drawing upon the Lords Commissioners of the Treasury, according to the implied authority in Mr. Merivale's letter of instructions of Colonel Moody, until the new Colony is in a position to meet that expenditure.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

COPY of DESPATCH from GOVERNOR DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 16.)
SIR,

Victoria, Vancouver's Island, November 5, 1858.
(Received January 15, 1859.)

* See page 56,
Part I.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 9,* of the 2nd September, and have to thank you for transmitting a copy of a correspondence between the Treasury and the Colonial Office, on the subject of the postal arrangements between England and British Columbia, a subject deeply interesting to every person connected with this country.

2. I observe by that correspondence that it was proposed to extend the present mail service by the way of Halifax and Nassau to Colon at a probable expense of 25,000*l.* per annum, apparently with the view of facilitating postal communication between Vancouver's Island and Canada, already accomplished *via* New York.

3. From Panama to Victoria Her Majesty's Government would be inclined to establish a line of British Postal Steamers, but for the great expense, say 100,000*l.*

For the present, therefore, it is proposed to enter into arrangements with the Postmaster of the United States, for the carrying of mails from Panama to San Francisco, and to invite tenders for their conveyance thence to this place, not being aware probably that the mails are already conveyed to Pugets Sound and this place by the United States Mail Steamers. It is also proposed to request the Postmaster of the United States to reconsider the time of departure of the United States mail steamers from Panama, so as to suit the Royal Mail Company's steamers.

4. By existing arrangements we receive our mails once a fortnight, and have not much reason to complain.

From England to Colon two routes are open, viz., *via* New York and by the Royal Mail line. The former is the more certain of the two for letters, and the one generally adopted by business men, as it connects with the line between Panama and San Francisco. The last named could hardly alter their periods of departure without confusion on the Atlantic side. If Her Majesty's Government carry out their views, and establish a line from Nassau, we should thus have three lines arriving at Colon. As there will probably be a weekly line soon from Panama northwards, there would appear to be little gain by interfering with present arrangements between San Francisco and New York, Canada and England.

5. A detention of sometimes a week occurs at San Francisco, not necessarily, but from want of arrangement on the part of the American authorities. The steamer conveying the mail northward frequently calls at the Columbia River, where she is liable to detention, and also frequently does not deliver our mail till her return voyage from Olympia, at the head of Puget Sound, occasioning a loss of two days, and giving us no time to reply to letters received by the same mail.

6. The only detention and irregularity therefore which we would wish to see remedied lie between San Francisco and this place, and this could easily be effected by an arrangement with the Pacific Mail Company, or perhaps by the preferable mode of inviting tenders for the service.

7. It would be advisable to stipulate, in any such arrangement, that the steamer leave San Francisco for Victoria direct within twelve hours after departure of the Atlantic mail at San Francisco, and leave Victoria on her return trip to San Francisco, in time to overtake the next succeeding mail.

The voyage either way ought to be performed in about four days, thus allowing six days to reply to letters from Europe.

8. When the resources of the Colony are more fully developed, a line of British postal steamers from Panama to Victoria would be the most satisfactory and advantageous to British interests in this part of the world. This line might touch at San Francisco and ports in Mexico, from whence treasure is largely exported, in all of which there are large British interests, and between which there is a large passenger traffic.

9. Trusting that these remarks may not be found irrelevant,

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 14.

BRITISH
COLUMBIA.

No. 14.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.(No. 17.)
SIR,

Victoria, Vancouver's Island, November 5, 1858.

(Received January 15, 1859.)

I HAVE the honour to acknowledge the receipt of your Despatch, No. 12,* of the 2nd of September last, transmitting to me a copy of a letter from the Aborigines Protection Society, invoking the protection of Her Majesty's Government on behalf of those people.

* See page 53,
Part I.

2. While you do not wish to be understood as adopting the views of the society as to the means by which that may be best accomplished, you express a wish that the subject should have my prompt and careful consideration, and I shall not fail to give the fullest effect to your instructions on that head, as soon as the present pressure of business has somewhat abated. I may, however, remark that the native Indian tribes are protected in all their interests to the utmost extent of our present means.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 15.

No. 15.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.(No. 21.)
SIR,

Victoria, Vancouver's Island, November 6, 1858.

(Received January 15, 1859.)

I HAVE the honour to acknowledge receipt of your Despatch of the 2nd September 1858, No. 17,† transmitting for my information copy of correspondence between the Colonial Office and the Foreign Office of the dates as per margin, touching certain queries addressed to Her Majesty's Minister, at Washington, by the Secretary to the Pacific Mail Steam Packet Company.

† See page 63,
Part I.
F.O. 26 July
1858.
C.O. 25 Aug.
1858.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 16.

No. 16.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.(No. 22.)
SIR,

Victoria, Vancouver's Island, November 6, 1858.

(Received January 15, 1858.)

I HAVE duly received your Despatch, No. 13,‡ of the 2nd September last, acquainting me that the Society for the Propagation of the Gospel propose to send one or two Missionary Chaplains to British Columbia with as little delay as possible.

‡ See page 60,
Part I.

2. I am glad to learn that such is the intention of this Society, and I shall be most happy to render every assistance in my power to the clergymen when they arrive. They will find there is an extensive field open to missionary enterprise, as well amongst the white population as amongst the native Indian tribes.

3. The recent immigration into the British Possessions in these parts has consisted mainly of foreigners, and bearing this in mind, with the local position of the territory, and the influence that may be exercised by the ministers of religion over a people, it appears to me very desirable that there should be but little opening for the introduction

BRITISH
COLUMBIA.

of any foreign clergy; and for these reasons alone, merely as a matter of policy, and without entering into higher considerations, I esteem it of some importance that every encouragement should be given to promote the emigration to this country of English clergymen.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 17.

No. 17.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 23.)

Victoria, Vancouver's Island, November 6, 1858.

SIR,

(Received January 15, 1859.)

* See page 51,
Part I.

IN acknowledging receipt of your Despatch of the 2nd September 1858, No. 3,* transmitting to me the Queen's Revocation of the Crown Grant of the 30th May 1838, to the Hudson's Bay Company, in so far as relates to the territories comprised within the Colony of British Columbia, I beg to acquaint you that the necessary Proclamation upon this subject will be made in the course of a few days.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 18.

No. 18.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 25.)

Victoria, Vancouver's Island, November 8, 1858.

SIR,

(Received January 15, 1859.)

† See page 60,
Part I.

IN reply to your Despatch, No. 14,† of the 2nd of September, transmitting copy of a letter which you addressed to Colonel Moody, on the subject of granting land, on certain conditions, to the non-commissioned officers and men of the Royal Engineers, who are to be employed in British Columbia, and instructing me to report to you my opinion whether it would be desirable to grant remissions on the purchase of land to retired officers of the army and navy, as was formerly the custom in many of the British Colonies, I have the honour to state, that without having had opportunities of acquiring information on the subject of your Despatch, I am strongly biased in favour of extending the system of locating retired officers of the army and navy in British Columbia, and of making grants to the men of the Royal Engineers of small portions of agricultural land, on condition of residence and military service in the Colony, if called upon.

2. I think it especially desirable to introduce the remission system into British Columbia, for the purpose of adding a respectable British element to the population, and thereby infusing and encouraging sentiments of attachment and loyalty to the Crown. I think the advantages greatly outweigh any inconvenience that may in future arise to the Colony from the introduction of the system, seeing, as suggested in your Despatch, that the privilege of granting remissions on the purchase of land to retired officers might for a time be secured to military settlers, even should the Crown lands be hereafter made over to the Colony.

3. I now submit a list of the officers for civil situations immediately required in the new Colony, feeling assured, however, that circumstances will soon render it necessary to allow a complete Civil Staff.

4. Mr. Begbie will, as you have so kindly arranged, lend his general aid for the compilation of the necessary laws and other legal business, properly coming within the range of duties discharged by the Attorney-General, but as he cannot engage in conducting

suits on the part of the Crown, it is obvious that the appointment of a law officer for the Crown is immediately required. I would thus suggest the following appointments :—

BRITISH
COLUMBIA.

An Attorney-General.
A Colonial Secretary.
A Colonial Treasurer.
A Colonial Accountant.

The pay of those officers must necessarily be regulated by the expense of living in the Colony.

A gentleman may live in England on an income of 1,000*l.* a year with far more comfort than an income of 1,800*l.* would command in this country.

5. As the Attorney-General and Colonial Secretary will hold offices which should be filled by gentlemen of the best education and ability, I think that such men may not be disposed to accept of a less valuable appointment, and perhaps the Treasurer, who will have to find heavy securities, may be included in the same category.

6. The pay of the Accountant may be regulated by the pay allowed to the higher appointments, and probably about 700*l.* a year may be considered a fair compensation for that official.

7. I will take the liberty of addressing you further on the wants of the Colony as they occur.

8. The want of efficient assistance, the multiplicity of the duties devolving on me, and the journeys I have been compelled to make into the gold regions for the enforcement of law and order, must plead my excuse for not addressing you more frequently on the affairs of the colony; though the reports of my two journeys to Fraser's River embody almost the whole amount of reliable information that can yet be given in respect to the value and extent of the gold fields.

I will, however, hereafter prepare a brief report on that subject by every mail.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 19.

No. 19.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 26.)
SIR,

Victoria, Vancouver's Island, November 8, 1858.

(Received Jan. 15, 1859.)

I HAVE the honour to acknowledge the receipt of your communication of the 1st September last, marked "Separate,"* introducing Captain Parsons, of the Royal Engineers, who arrived here on the 29th ultimo, by the mail steamer "Panama," from San Francisco, with the detachment under his command in perfect health.

* Vide page 50,
Part I.

2. I have, according to your instructions, provided house accommodation for Captain Parsons and the detachment at this place, and I will afford him every possible assistance in my power towards providing for the arrival of Colonel Moody; and further, should temporary accommodation for the party be required at any of the Hudson's Bay trading posts, I will take care that such accommodation be afforded.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 20.

No. 20.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 27.)
SIR,

Victoria, Vancouver's Island, November 8, 1858.

(Received Jan. 15, 1859.)

1. I HAVE the honour of acknowledging the receipt of your Despatch, No. 16,† of the 2nd September last, explanatory of the legal position which I now fill in the colony of British Columbia, and the nature of the forms and duties demanding my immediate attention.

† See page 61,
Part I.

II.

D

BRITISH
COLUMBIA.

2. The instructions contained in your Despatch in reference to the discharge of those duties will receive early attention, and with that view I purpose to proceed in a few days hence to British Columbia, to make formal proclamation of the Act of Parliament under which the colony is to be governed. I feel exceedingly obliged to you for your kindness in explaining the necessity and consequences of that formal proclamation of the Act, and of the proclamation of indemnity which I shall afterwards issue, in protecting myself and my subordinate officers from legal proceedings.

3. I shall also not fail to attend to your further instructions respecting the establishment of courts of justice; defining miners' rights by positive regulations, instead of allowing them to grow up by mere custom or accident; and the establishment of a police force; which as you will observe by my previous communications have been, to some extent, already executed, but will be more perfectly carried into effect upon the arrival of Mr. Begbie, an event which I anticipate with satisfaction, as affording a prospect of relief from the burthens now borne by the executive alone.

4. In another communication herewith, I mentioned my intention to proclaim the revocation of the Hudson's Bay Company's licence of trade in a few days, though practically it has already ceased to exist.

5. The extensive powers which Her Majesty's Government have intrusted to me will be used discreetly and with moderation, and you may rely that everything in my power shall be done to prove that Her Majesty's Government have acted judiciously in taking such measures for the protection of the country, in circumstances unusual and of the greatest possible difficulty.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 21.

No. 21.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 28.)

Victoria, Vancouver's Island, November 9, 1858.

SIR,

(Received January 15, 1859.)

I HAVE the satisfaction of announcing, for your information, the arrival yesterday, at this place, of Captain Grant, with the detachment of Royal Engineers under his command, and also of Mr. Chartres Brew, inspector of police, by the same steamer. Judge Begbie had arrived safely at San Francisco, and is expected here by the next steamer.

The detachment of Royal Engineers will be moved to British Columbia as soon as we have completed two wooden houses in frame, which will occupy two days more, for lodging the detachment on their arrival at Fort Langley. The officers and men are in the meantime provided with comfortable quarters at this place, and are all in perfect health.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 22.

No. 22.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 29.)

Victoria, Vancouver's Island, November 9, 1858.

SIR,

(Received January 15, 1859.)

I HAVE received your communication of the 2nd September last, marked "Separate,"* alluding to a report sent by Captain Richards to the Lords Commissioners of the Admiralty, and suggesting the appointment of gold commissioners with the powers of magistrates, and the establishment of a police force at the diggings.

It was highly satisfactory to learn that in respect to those measures I had only anticipated your wishes and I may add that with respect to the Hudson's Bay Company, they no longer possess rights or enjoy any privilege that is not equally shared by all Her Majesty's subjects in these Colonies.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

* See page 65,
Part I.

No. 23.

BRITISH
COLUMBIA.
No. 23.COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 30.)

Victoria, Vancouver's Island, November 9, 1858.

SIR,

(Received January 15, 1859.)

1. HAVING just received a report from Mr. Commissioner Hicks, I beg to communicate the particulars of the same for your information.

2. This report refers chiefly to that part of the Fort Yale District, situate between that place and Cornish Bar, four miles below Fort Hope. It appears that satisfactory progress is being made in the development of the resources of that district. Twenty-one canal or "ditch companies" have been formed for conveying water to the different mining bars. Thirteen of those works are finished and in full operation; seven are in progress and nearly finished, and permission to form the last has just been granted. Those works are of vast utility in washing for gold, enabling the miner to carry on operations with more success and economy, and to work soils that would not yield a remunerative return without the aid of those labour-saving machines.

3. There are also several water companies engaged in making watercourses on the table-lands in the vicinity of Fraser's River, their object being to erect flumes that will supply more than 1000 mining claims with water. As it is by such undertakings that the country will be fairly prospected, every encouragement is given to the enterprising men who undertake it.

4. An extensive table-land on the right bank of Fraser's River, four miles below Fort Yale, and at least sixty feet above the highest water level, which I have named, "Prince Albert's Diggings" was lately discovered to be highly auriferous. Extensive preparations are now being made for opening mining shafts there; and it is reported to be extensive enough to give employment to 4,000 men, allowing to each twenty-five feet frontage, and 500 feet in depth.

This being the first dry diggings discovered in the Fort Yale District, the mining claims were laid off on a much larger scale than the regulation quantity, as Mr. Hicks was desirous of encouraging the miners who were looking forward with confidence to reaping a rich harvest in return for their labour. There is, however, no water at a convenient elevation in the vicinity; several companies have therefore been licensed to convey water from the neighbouring mountains,—a work which will probably take about six weeks to accomplish.

5. It was lately reported that silver was discovered near Fort Yale, in a quartz lead, but the specimens brought here have proved valueless.

6. Hill's Bar is reported to be worked out, and the miners have now turned their attention to the banks of the river, which are found to be very rich, and they are now conveying water, at their own charge, for sluice washing from a distant source, at a cost of about 800*l*.

7. The miners on American and Santa Clara bars were also waiting for a supply of water, which is being conveyed by means of a canal from a lake about two miles distant, at a cost of over 1100*l*.

8. Very few claims can be worked to much advantage with the rocker on Cornish Bar, and the miners are engaged in bringing in water for sluicing, so that they will shortly be able to carry on operations with a better prospect of success. In the operations of fluming and sluicing, where the dirt only pays a penny to the pan, a man can earn ten dollars a day, in places where with the rocker he could not save more than one dollar a day, the gold being so fine that it is almost impossible to save it without the aid of quick-silver.

9. Very little mining is carried on between Fort Yale and the upper end of Douglas Portage, the rain and cold weather, together with the high price of provisions, having compelled the miners to relinquish their occupation for the season.

10. On the table-land directly opposite to Fort Yale several shafts have been sunk, and good mining ground discovered. It was proposed to lay out that table-land in twenty acre garden lots for sale, but we shall now reserve the land for mining purposes.

11. A shaft was lately sunk for the purpose of testing the ground on which the town of Fort Yale stands, and good diggings of coarse gold were found, which caused so much excitement that the miners could hardly be restrained from opening works in the very heart of the little town.

12. Another discovery was lately made on a large extent of flat land, opposite to Strawberry Island, which appears to contain rich deposits of the precious metal, yielding as much as ninepence to the pan, at a depth of eight feet from the surface.

A licensed company has undertaken to bring water to the flat from a distant creek, but it will take some time to complete the operation.

13. Mr. Commissioner Hicks in continuation of his report proceeds as follows :—

“I have given your Excellency some idea of the mining prospects, which cannot be but most gratifying to your feelings, especially with regard to Prince Albert's Flat, above the rock named Albert Head, at least one mile of frontage on the river, I intend to survey off into claims of twenty-five feet frontage. Your Excellency will perhaps feel much surprised at the depth allowed for each claim; the stripping of the top dirt does not pay within eight feet of the surface; it would not pay men to go to the great expense of fetching in water so long a distance, unless more extended privileges were granted; therefore it was to open these mines and encourage the men that induced me to comply with their wishes: there is plenty of ground that pays even up to the foot of the mountain, about one and a quarter mile back. I trust you will confirm the action I have thus taken.

“I have very many difficulties to contend with, especially with regard to water grants; men are almost at times out of their senses, and are determined to infringe on the privileges granted to others. I was compelled to issue injunction notices to Messrs. Williams, Burns, and six others, to restrain them from carrying a ditch from Santa Clara Creek on to the bar and flat, and very much interfering with other operations in progress.

14. The mining claims are not in all cases remunerative, and there is much expense in bringing them into working condition, so that miners are frequently from actual poverty unable to pay the licence fee. For that reason in making the first collection of mining fees, in the month of September, no less than 881 mining claims were found in the possession of persons in that condition, on whom necessarily no fees were levied. Such merciful consideration for the destitute opens a wide door for evasions, and complaint on the part of those who pay the tax.

That consideration and the great expense of collecting a monthly fee, owing to the extent and inaccessibility of the country, its effects in exciting feelings of irritation and dislike of the Government, and provoking antagonism to the public officers, naturally suggest a reduction of the licence fee, or perhaps its discontinuance, and the substitution of some other less obnoxious mode of taxation. Probably that adopted in Australia, from the report of the Commission appointed to inquire into the condition of the gold fields of Victoria, might be altered and successfully adapted to the circumstances of British Columbia, a subject which I reserve for further consideration.

15. The miners on Hill's Bar have, I understand, lately exhibited dissatisfaction on account of their claims being limited to the river bar, and I understand they lately held a meeting to petition me on that subject, and that the petition was to be forwarded through Mr. Nugent, special agent of the United States, but the document has not yet been presented, and I presume Mr. Nugent would consider it bad taste to meddle with a matter of purely local law, and into the settlement of which no question of nationality could possibly enter.

16. A considerable public revenue may be raised from the grant of water privileges, which it is proposed to tax to the amount of five dollars a month for each sluice or flume, and it is expected that in course of another year more than 2000 of these sluices will be in operation in the Fort Yale district.

17. Mr. Hicks gives no idea of the miners' general earnings, which it is at all times difficult to ascertain from their own statements.

18. One among other more cogent reasons for the establishment of a gold escort, is the facility it will give of ascertaining with something like accuracy the real export of gold from the country. Mr. Hicks' accounts exhibit a very trifling collection for the last month; but it was sufficient to meet the expenditure, and he had not made the monthly collection of mining fees.

19. Mr. Commissioner Travaillo, whose district extends from the Forks of Thomson's River to the Fountain, had time to do little more than to report his safe arrival at the Forks, where the town site of “Lytton” was laid out, and now contains fifty houses and a population of 900 persons.

20. Some trouble had arisen between the miners and Indians, which was, however, fortunately arrested, after a loss of several lives on both sides.

21. The banks of Fraser's River above the Forks are said to afford good dry diggings, as far as the upper fountain and sluices yield at the rate of 20 dollars a day to the hand.

22. Many of the miners are leaving the country, on account of the want and high prices of provisions, flour being now sold at the Forks at the rate of 4s. 2d. per pound, and other articles of food being equally high priced, arising from the cost of transport, and the inaccessibility of the country; the land route between the Forks and Fort Hope and

Fort Yale being now rendered impassable through the depth of snow in the mountain passes, though the level country still exhibits the appearance of early autumn.

23. The mining population in Fraser's River may be estimated as follows:—

From Cornish Bar to Fort Yale	-	-	-	4,000
Fort Yale -	-	-	-	1,300
Fort Hope -	-	-	-	500
From Fort Yale to Lytton	-	-	-	300
Lytton -	-	-	-	900
From Lytton to the Fountain	-	-	-	3,000
Port Douglas and Harrison's River	-	-	-	600

Total - 10,600

24. I herewith forward a reconnaissance of Fraser's River by Lieutenant-Colonel Hawkins, R.E., which shows the mining bars of Fort Yale district and places referred to in this report, as well as the general character of the country.

25. I have the satisfaction of announcing that the great work of the season, the route by Harrison's River to a point on Fraser's River, beyond the mountains, about eight miles below the upper fountain, is now completed; and a number of mule trains are upon the road about to engage in the transport of provisions and other supplies for the mining population of "Lytton," and the mining districts beyond that town. It is, in fact, to that route that we must ultimately look for a convenient communication with the interior of the country. This has been an arduous undertaking, and the cost will be about 10,000*l.*, which I feel assured Her Majesty's Government, in view of the great importance and urgency of the work, for the transport of food in winter, its bearing on the future development of the country, and above all looking to the fact that the revenue collected already in the country is to defray the whole expense, will sanction by their approval.

The difficulties encountered in the process of this undertaking were more serious than anticipated, arising in a great measure from the want of experienced conductors; but I think the work could not be done under any circumstances at a cheaper rate.

26. I herewith forward for your information a hastily prepared sketch of the Harrison's River route, showing its connexion at both ends with Fraser's River, a table of distances and a descriptive statement of bridges constructed on the road. I beg to remark in explanation that the only reliable part of this sketch is the tracing of Harrison's River and road, the latter in red ink with the connecting lakes, the compass directions and distances having been accurately determined by the road surveyor.

See Map in
Part I.

Harrison's River and lake are navigable for river steamers, which ply as far as Port Douglas; from that point the road is cut through the forest in the valley of Harrison's River a distance of $33\frac{3}{4}$ miles to Lake Lilovett; the water communication between those points being dangerous and expensive, except at the lowest stage of the river. The passage of Lake Lilovett, 13 miles in length, and with depth of water sufficient for large vessels, is effected by means of large sized boats constructed for the purpose. From Lake Lilovett to Lake Anderson, a distance of $24\frac{3}{4}$ miles, a road, traced on the sketch in red ink, is carried over land. Lake Anderson, 15 miles, and Lake Seton, 16 miles in length, both having a great depth of water, are traversed in large boats. A road one mile and a half in length connects those two lakes, and from Lake Seton, a road four miles in length, leads to the terminus on Fraser's River,—the whole distance from thence to Port Douglas being 108 miles, in the course of which there are 62 substantial wooden bridges, varying from 12 to 90 feet in length.

27. The comparative cost of transport by this and the Fort Yale route is as follows:—

			<i>s.</i>	<i>d.</i>	
Fort Yale to Lytton	-	-	1	11 $\frac{1}{4}$	for each pound weight.
Port Douglas to terminus of road 35 miles					
beyond Lytton	-	-	0	9	„ „

Thus showing a saving in transport expense by the Harrison's River as compared with the other route of - 1 2 $\frac{1}{4}$

28. A great number of miners have left Fraser's River and returned to California, and Oregon. The course of immigration has ceased for the present, and will probably not be

BRITISH
COLUMBIA.

resumed till the spring. There is still however a large foreign population at this place, and the town is continually on the increase.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

See Map in
Part I.

P.S.—On the accompanying map of the Harrison's River route I have also traced out the route taken by Mr. Joseph McKay, who was lately dispatched with a party of five men to examine the country between the Lailooet lake and Howes Sound, an enterprise which was successfully accomplished greatly to my satisfaction. The country examined is mountainous, with some fertile valleys and very fine timber, but not attractive as a place of settlement. Mr. McKay's Journal is herewith forwarded for your information.

JAMES DOUGLAS.

Enclosure in
No. 23.

Enclosure in No. 23.

SIR,

Victoria, Vancouver's Island, October 2, 1858.

I BEG to submit to your Excellency the following report of my journey through a part of the Fraser's River district, carried out according to your Excellency's instructions.

At 10.10 A.M. September 1st, I left Fort Langley, accompanied by Mr. Downie, four Canadians, and the three native guides furnished by your Excellency, on board the steamer "Maria."

We steered up the Fraser's River until 5.36, when we entered the Harrison River, in which, at its confluence with the Fraser, there is little or no current: half a mile further up it spreads out and forms a lake, about six miles long and from a half to two miles wide, bounded on the west side by high precipitous hills, wooded with stunted firs. The east side is for the most part low, thickly wooded, occasionally marshy, and in parts adapted for agriculture. The course at the entrance ascending is nearly N.W. Turning gradually to the northward, at the head of this lake, the Harrison receives a small tributary from the westward, and becomes narrower, studded in low islets, between which the current is rapid and channels shallow; at one place abreast of the Chianis village we had no more than four feet and a half of water. This place becomes shallower, and is barely passable with deeply laden canoes; during the winter, above the rapids, the river again deepens, with high rocky hills on each side. We anchored at 7.30 P.M., two miles above the rapids, in three fathoms and a half of water.

On the morning of the 2nd, we started at daylight, and at 6.30 entered the Harrison Lake, course nearly N.W. by compass. This lake is about forty miles long and from one to three miles wide, bending gradually towards the westward, surrounded by high mountains, steep, thickly wooded in parts, and in some places capped with perpetual snow. The mountains appear to be composed principally of slate and marl, a few granite and basaltic ridges occur on the west side. In this lake are some small rocky islands. On the east side and at about half its length this lake receives the Säächta, a considerable stream from the N.E.

There is some rich alluvial land at the mouth of this stream; a branch of the Lailooet tribe have a small village here, from which a trail leads through the valley of the stream to the village of Speem or Spuzzum, on the Fraser River. The distance may be travelled, according to Indian report, in one day; a branch of this trail leads also to Fort Yale.

On the east side of the lake, about four miles above the mouth of the Säächta, a land slip occurs, where, according to Indian report, salt is found in large quantities. Skootchas is the native name for Harrison's Lake. Salmon are plentiful in the lake during the months of August and September, a few deer are found on the slopes, and mountain-goat on the tops of the mountains: the dusky grouse abound during the breeding season. Excepting the valley of the Säächta, there is apparently very little land adapted for cultivation along the shores of the lake; the mountains are rugged, with but sufficient soil to sustain a scanty growth of the Douglas and other firs, with stunted cedars on the moist parts. Westward from the Harrison, at no great distance, and laying parallel to it, the Indians report a large lake which feeds the Kaitsee River.

We reached the head of the lake at 11 A.M., and instead of ascending the Upper Harrison, which discharges into the lake by two mouths, we turned a little to the north-west, and entered a narrow slough, which, winding a quarter of a mile through a low marshy bottom, leads into Port Douglas, a small circular lake about half a mile across, laying to the east and separated from the Upper Harrison River by a rocky hill.

This lake receives the Han-na-tcha, a considerable stream from the eastward, the outlet of a large lake which lays parallel to Harrison valley. Ascending this stream to a distance of about 200 yards, a cataract of considerable height occurs, affording a good mill power, surrounded by fine timber; there is also a good water power on the Harrison Lake, near the mouth of the slough. This slough becomes very shallow during the autumn.

We landed at the N.W. end of Port Douglas, where we found a large camp of the Harrison River road-makers anxiously awaiting the arrival of a pack of mules now landing from the "Maria."

I immediately made arrangements with the owner of the mules for the use of four, for my journey to the Lailooet Lake. The mules, being weak from the effects of the voyage, were unfit for travelling this evening.

We started at 6.30 A.M. September 3rd, the trail leading along a narrow gorge towards the main valley of the Harrison River. This we reached in one hour, and following the general course of the river reached the Lailooet Lake at 5.30 P.M. on the 4th of September, a distance of about forty miles from Port Douglas. The first fifteen miles is for the most part rugged, but well adapted for mule transport,

The upper part of the valley is more regular, consisting principally of level plateaux scantily wooded with Scotch fir. A few rugged hills occur along the slopes, of which the trail has been well graded.

The bridges constructed by the road-makers are in general too low, most of them will be swept away during the next freshets. Two miles below the Lailoet is a smaller lake, about three miles long and three-quarters wide; below that, and to its discharge into the Harrison Lake, the river is almost one continual rapid. About 25 miles above Fort Douglas a cascade about five feet high occurs: about two miles above this is a hot spring, near the trail, gushing out from a fissure in a bed of gypseas conglomerate. Below the cascade are some strata of red and yellow ochre. The Harrison here receives a tributary from the eastward, through the valley of which is a trail to Fraser's River. The mountains in the vicinity of the small lake are composed principally of slate, traversed by numerous veins of quartz, said by the miners to be slightly auriferous.

A miner informed me that silver had been discovered by a Mexican in this neighbourhood; he did not know its exact locality, and could not inform me where the Mexican was to be found. The eastern bank of the small lake is level, and affords good building sites. The river between the lakes is rapid, but deep enough to admit the passage of laden bateaux. A good tow-path may be cut along the banks.

At the terminus of the trail on the Lailoet Lake, the mountains are steep to the water's edge, and afford barely space for turning a mule train. Building is impossible without excavating the hill sides; on the opposite side of the lake (which is here half a mile over) is a level bottom, apparently marshy.

Having hired a boat, we crossed the lake and encamped. On the fifth, we started at noon, steering in a north-westerly direction; we reached the head of the lake at sunset and encamped.

This lake is about 20 miles long, surrounded by nearly impassable mountains. At the head of the lake is a large delta about 1^m acre* in extent, covered with a heavy growth of swamp grass. This delta is traversed by the Lailoet River from the north-west; the Tlameehoo from the westward, and some smaller streams from different directions.

* Sic in orig.

On the morning of the 6th we embarked and ascended the Tlameehoo at the rate of about one mile per hour, until 10 A.M., when we landed on the north bank of the river, packed our blankets and provisions on our backs, and reached the salt water at the head of Howes Sound at 6 P.M. on the 11th. The distance from the head of the Lailoet to Howes Sound is about 55 miles.

Twelve miles above its mouth the Tlameehoo receives the Stchawham from the south, a tributary of which takes its rise at the north end of a chain of lakes, four in number, situate about 25 miles from the Lailoet, on the watershed between Howes Sound and the Lailoet. These lakes lay nearly north and south; the most northern discharges, as aforesaid, by a tributary of the Stchawham; the most southern gives rise to a tributary of the Sickamish, which discharges into the Iko-whomish River. Another branch of the Stchawham springs from the base of a glacier on the east side of the valley. The main branch takes its rise on the west side of the valley.

The Skakamish takes its rise in the vicinity of the east branch of the Stchawham, and receives the discharge from the lake about six miles below the lake. About eight further down, all the low lands on each side of the valley, for a distance of about four miles, were submerged three years ago, and presents the singular appearance of a lake studded with trees.

This catastrophe was caused by the bursting of a lake from its basin, in the marl mountains, on the east side of the valley. The debris from the mountains which covers an area of about three square miles, filling up the channel of the river, caused the overflowing of its banks.

The river has since made for itself a new channel, and will probably drain off the lake in course of time. The guides having lost their way, I did not think it prudent to waste time in examining this place, as we were getting short of provisions.

From this place, the river takes a course nearly due south. The valley becomes narrow, the hills precipitous, and the river very rapid, in occasional cascades.

This district, nearly ten miles through, is named by the natives, "Skooluks." Below this district the valley opens out to about one mile wide (bounded on each side by steep precipitous hills), to low bottoms, through which the river winds; sometimes washing the bases of the hills, until within six miles of the head of Howes Sound, where it turns suddenly to the westward, and half a mile further falls into the Skowhamish River, which river discharges into the head of Howes Sound, by several mouths, and may be navigated during the greater part of the year, by vessels of light draught of water, as high up as its confluence with the Siakamish.

The Bottoms in the valley of the Skow-komish are well timbered, principally Douglas fir of large dimensions, suitable for spars of the largest size. Cedars of a fine growth are also abundant. The soil when cleared would in parts form rich farming land. The same may be said of the valleys of the Skakamish and the stream throughout the pass to the Lailoet.

The higher plateaux furnish a scanty growth of pines along the lakes, and some large patches of swamp grass, equal in all to about 400 acres.

The rocks in the valley are principally slate, granite, and basalt; the mountains on the east side of the valley appear to consist principally of a soft red marl.

The trail from the junction of the Skakomish with the Skouhomish, after crossing the dividing hills, not at all steep, will follow the valley of the Siakamish on level bottoms, crossing the river once before reaching the Skool-uks. Through that district some discrimination will be required in choosing the best passes through the hills. The Indian trail is very indifferent, and follows principally the more rocky parts, to avoid underwood. A good mule trail may be made by proper engineering. Want of soil is the greatest disadvantage.

Mules or horses will require to be well shod; and the large stones on the hill sides will have to be broken to give them a good footing. Along the submerged district a few rough places occur; a few miles further, the river has again to be crossed. The trail will then lead over level bottoms, with two or three rocky ridges, not difficult to pass, until it reaches the first lake; then along the west side of the lakes. Along the two first of which is a considerable extent of rugged country. Along the two upper lakes is a large level bottom, well timbered with a heavy growth of Douglas fir; at the south end of the north-west lake the trail leads over a quarter of a mile of swamp; this may, for the most part, be avoided by keeping nearer the base of the mountains. Beyond the lakes the trail crosses the spur of a mountain, which takes between the west branch of the Stcha-wham and the lakes.

BRITISH
COLUMBIA.

This may also be avoided by following the valley of the south branch of the Stchawham. From the lake, beyond this a considerable extent of level land occurs, heavily timbered, then a granite ridge, not very steep, has to be crossed to reach the main valley of the Stchawham, then over a level plateau of several miles. Descending to a low bottom, it crosses the west branch of the Stchawham, and continues along the valley of that stream, over a level country, to within a quarter of a mile of its confluence with the Tlameeho, when it strikes off to the valley of that stream, and crosses it about 200 yards above the junction of the two rivers; it then follows the valley of the Tlameeho, in an easterly direction, over undulating stony plateaux, until it reaches the great falls of the Tlameeho, which are about 100 feet high and 8 miles from the Lailooet Lake. Here it crosses a hill of gentle ascent, but stony, then over a level bottom, until it reaches a lower hill, but more rugged, descending the east slope of which it emerges into the delta of the Lailooet before mentioned. Many parts of this delta (which is at this place about one mile across) are swampy, and would probably require bridging. Several branches of the numerous streams would also be unfavourable during the freshets. On the east side of the delta is the trail already opened to Anderson's Lake. The snow lays on the higher parts of the valley to the Sko-whomish about three months during the winter, and is in some places very deep, with a hard crust.

The trail from Lailooet to Jarvis Canal branches off from that to Howes Sound, at the upper end of the Skol-uks, crossing the dividing hills between the Sko-whomish and Siakamish valleys; it then ascends the Sko-whomish valley, one day's march, say, 15 miles, and crossing the spur of a mountain strikes the She-shale River, which discharges into the Jarvis Canal; there is also a road to Anderson's Lake, by the Lailooet, from the Tlahaos River; a considerable stream which discharges into the head of Desolation Sound.

The Tlahaos, Sko-whomish, She-shalt, Lailooet, and another large stream, which discharges into Langhborough's Canal, all take their rise in the same vicinity. The Stta Lli-muh natives of Anderson's Lake (known on the coast as the Lau-hoo-lis) were the first to explore all the various waters leading to and from these several rivers.

They have the advantage of having a central location near the head waters of those streams; they are a hardy energetic tribe, and are good hunters. They speak a dialect of the She-swap language. The Sko-whomish are as yet very savage, having had little intercourse with the whites, their demonstrations were anything but friendly towards us; they are also at war with all the neighbouring tribes; having being informed that they wished to kill my guides, and being out of provisions, we decamped from the mouth of the river at 10 P.M. on the night of the 11th, in two small canoes which I had purchased, paddled down Howes Sound all night, and at 8 A.M. the next morning reached Point Gawer.

Having rested for one hour and a half we re-embarked, and steered across the Gulf of Georgia for Nainimo, which place we reached safely at 4 P.M.

I had no opportunity of making any observations on the nature and capabilities of Howes Sound, its general outlines appear to be correctly laid down on Vancouver's charts.

Leaving Nainimo the next day, we reached Victoria in eighteen hours.

His Excellency J. Douglas, Esq.,
&c. &c. &c.

I have, &c.
(Signed) J. W. McKay.

A REGISTER of BRIDGES constructed on the Harrison's River Road.

No.	Length.	Width.	Particulars.
	Feet.	Feet.	
1.	12	9	Number of bridges from Port Douglas to Port Lillooet - 16
2.	25	9	" small bridges - " " " - 14
3.	20	9	" " " mean length, 15 ft. ; width, 9 ft. —
4.	18	9	Total number of bridges - - - - - 30
5.	45	9	
6.	15	9	
7.	36	6	
8.	24	9	
9.	30	9	
10.	12	9	
11.	70	9	
12.	75	6	
13.	36	9	
14.	70	7	
15.	60	9	
16.	50	6	
1.	25	9	Number of bridges from Port Pemberton to Port Anderson 17
2.	30	9	" small bridges " " " 15
3.	31	9	" " " mean length, 15 ft. ; width, 9 ft. —
4.	60	9	Total number of bridges - - - - - 32
5.	90	9	" " " as above - - - - - 30
6.	30	9	
7.	39	9	" " " on the road - - - - - 62
8.	40	9	

A REGISTER OF BRIDGES—*continued.*BRITISH
COLUMBIA.

No.	Length.	Width.	Particulars.
9.	33	9	Number of miles from Port Douglas to Port Lillooett - 33 $\frac{3}{4}$
10.	30	10	" " " Port Lillooett to Port Pemberton (by Lillooett Lake) - 13
11.	66	10	" " " Port Pemberton to Port Anderson - 24 $\frac{3}{4}$
12.	50	9	" " " Port Anderson to East Port (by Lake Anderson) - 15
13.	18	9	" " " East Port to West Port - 1 $\frac{1}{2}$
14.	54	9	" " " West Port to Port Seton (by Seton Lake) - 16
15.	100	6	" " " Port Seton to Fraser River - 4
16.	50	9	
17.	30	9	
Total distance			- - - - - 108
			by water, 44 ; by land, 64.

No. 24.

No. 24.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No 31.)

Victoria, Vancouver's Island, November 13, 1858.

(Received January 15, 1859.)

(Answered, No. 28, March 3, 1859, page 81.)

SIR,

* Page 24.

1. WITH reference to my Despatch of the 8th instant, No. 25,* upon the subject of the appointment of officers to civil situations in the Colony of British Columbia, I would beg to state to you that I should much desire, if it could be arranged, that Mr. William A. G. Young, of the Royal Navy, should be appointed to the office of Colonial Secretary.

2. Mr. Young is on the spot, and is at present filling the office of Secretary to the Commission for ascertaining the boundary between Vancouver's Island and the territories of the United States on the Continent of North America, and, as Mr. Young was selected for this service by the Admiralty, and appointed thereto by the Foreign Office, the consent of their Lordships and of the Secretary of State for Foreign Affairs, must necessarily be obtained before he could be removed from it.

3. Mr. Young has belonged to the Royal Navy for nearly eighteen years, and he has served as Secretary to several Flag Officers upon different Foreign Stations. His last appointment as Naval Secretary was with the "Captain of the Fleet" in the Baltic, and I forward to you herewith a copy of a testimonial showing the appreciation entertained of his services by that Officer. The whole of Mr. Young's testimonials throughout his entire service are of the highest order, but I think it unnecessary to trouble you with more than the one I enclose.

4. Mr. Young has already rendered me some assistance, and I consider him to be qualified, both by ability and character, for the office of Colonial Secretary, and I trust you may be pleased to appoint him to it, and also to obtain the necessary permission from the Departments I have mentioned to enable him to enter upon it, as without such permission it would not be possible for him to accept the appointment.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 24.

Enclosure in
No. 24.H.M. Ship "Duke of Wellington," at Spithead,
May 17, 1856.

MR. YOUNG served as my Secretary from the date of my appointment as Captain of the Baltic Fleet February 1855, to the date hereof, when my appointment finished. It is impossible for me to speak too highly of Mr. Young's conduct during the whole of this period. For the first few months he had no clerk to assist him in his laborious duties, and it was a wonder to me how he managed to get through the mass of business that had to be transacted in my office; but, owing to his great exertions, aptitude for business, and cheerfulness of disposition and manner, everything was carried on satisfactorily, and not only gave unqualified satisfaction to myself, but to all those who had to transact business with him. It is not only in his duties as Secretary that I feel bound to bear testimony to Mr. Young's merits and qualifications, but also as an excellent and intelligent officer and gentleman.

Should I be again in a position to require a Secretary, I should consider myself most fortunate if I was able to obtain the services of Mr. Young. (Signed) FRED. J. PELHAM, Commodore 1st Class,
and Captain of the Fleet.

BRITISH
COLUMBIA.
—
No. 25.

No. 25.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 34.)

Victoria, Vancouver's Island, November 27, 1858.

(Received January 29, 1859.)

(Answered, No. 21, February 11, 1859, page 80.)

SIR,

1. I HAVE the honour to communicate for your information, that I proceeded, on the 16th instant, by Her Majesty's ship, "Satellite," to Point Roberts, and from thence by the Hudson's Bay Company's steamers "Otter" and "Beaver" to Fort Langley, to proclaim the Act of Parliament providing for the Government of British Columbia.

2. I was kindly accompanied by Rear-Admiral Baynes on that occasion, by Mr. Cameron, Chief Justice of Vancouver's Island, and Mr. Begbie, the Judge of British Columbia, who arrived from San Francisco on the evening of the 15th instant, just in time to take part in the solemnity.

3. Captain Parsons with the first detachment of Royal Engineers also accompanied me from this place; Captain Grant with the second detachment and also Inspector Brew having preceded me by a few days.

4. The ceremony was performed at Fort Langley with becoming solemnity, on the 19th instant, in the presence of these gentlemen, Her Majesty's troops, and the inhabitants of the place; and the Officers holding appointments from Her Majesty were installed in the usual manner, and with the accustomed forms.

5. Proclamations were then made,—

1st. Of the revocation by Her Majesty of all the exclusive privileges of the Hudson's Bay Company.

2nd. Indemnifying the Officers of Government from all irregularities previous to the proclamation of the Act.

3rd. Proclaiming English Law to be the Laws of the Colony.

6. Copies of those Proclamations are herewith transmitted for the information of Her Majesty's Government.

7. I returned to this place on the 21st instant with Rear-Admiral Baynes, and all the other gentlemen who accompanied me to Fort Langley, except Inspector Brew and Captains Grant and Parsons, who were left with the Royal Engineers at Old Fort Langley.

I have, &c.

(Signed) JAMES DOUGLAS,

Governor.

The Right Hon. Sir E. B. Lytton, Bart.

&c.

&c.

&c.

Enclosure 1.

Enclosure 2.

Enclosure 3.

Enclosure 1 in
No. 25.

Enclosure 1 in No. 25.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of Vancouver's Island and its Dependencies.

WHEREAS, Her Majesty has been pleased, by an Instrument made under Her Sign Manual, to revoke the Crown Grant dated the 30th day of May, in the year of our Lord, 1838, to the Hudson's Bay Company, for exclusive trading with the Indians, in so far as the said Grant embraces or extends to the Territories comprised within the Colony of British Columbia;

I, James Douglas, Governor of the said Colony, now proclaim and publish this Instrument revoking the said Grant, for the information and guidance of all persons interested therein.

Given under my hand and seal at Victoria, Vancouver's Island, this Third day of November, 1858, in the Twenty-second year of Her Majesty's Reign.

JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

Enclosure 2 in
No. 25.

Enclosure 2 in No. 25.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies.

Proclamation having the Force of Law to indemnify the Governor and others for Acts done before the Establishment of any legitimate Authority in British Columbia.

WHEREAS large numbers of Her Majesty's subjects and others have resorted to and settled on the territory now comprised within the limits of this Colony, before the establishment of any settled form of Government therein; and it has been necessary to take steps for the establishment and maintenance of peace, order, and good government, and for the protection of the rights of Her Majesty, and for the collection of a revenue from lands belonging to Her Majesty, some of which steps may not have been fully authorized in point of law:

And whereas by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, J. James Douglas, Governor of the Colony of British Columbia, have been authorized,

by Proclamation issued under the Public Seal of the Colony, to make Laws, Institutions, and Ordinances for the peace, order, and good government of the same:

Be it therefore known to all whom it may concern, that I, the said James Douglas, Governor of British Columbia, do hereby, in virtue of the authority aforesaid, enact and proclaim that every act, matter, or thing *bonâ fide* done and performed for any of the purposes aforesaid, before the date of this Proclamation, by me, the said James Douglas, or any other person or persons acting under my authority or direction, shall be deemed to be and to have been valid in law, and that I, the said James Douglas, and the said other persons shall be and hereby are severally and jointly indemnified, freed, and discharged from and against all actions, suits, prosecutions, and penalties whatever in respect of any such act, matter, or thing, and that the same shall not be questioned in any of Her Majesty's Courts of civil or criminal jurisdiction in this Colony.

And I do further enact and proclaim, that any declaration in writing, under the hand of the Governor or Officer administering the Government of British Columbia, to the effect that any act, matter, or thing specified therein was done or performed for any of such purposes, or under any such direction or authority as aforesaid, shall for the purposes of this Proclamation be conclusive evidence of the matters stated therein, and shall be a sufficient discharge and indemnity to all persons mentioned in the said declaration in respect of the act, matter or thing specified therein.

Issued at Fort Langley, under the Public Seal of the said Colony, this Nineteenth day of November 1858, in the Twenty-second year of Her Majesty's Reign, by me,
JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

Enclosure 3 in No. 25.

PROCLAMATION

Enclosure 3 in
No. 25.

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies.

Proclamation having the Force of Law to declare that English Law is in force in
British Columbia.

WHEREAS by an Act of Parliament passed in the Session held in the 21st and 22nd years of Her Majesty Queen Victoria, it was enacted that the territories therein described should be comprised within the Colony thereby created of British Columbia; and it was further enacted that on the proclamation of the said Act in British Columbia, certain Acts which were passed in the 43rd year of His late Majesty King George the Third, and in the 2nd year of His late Majesty King George the Fourth, and by which the law of Upper Canada was extended to certain parts of America therein mentioned, should cease to have force in the said Colony of British Columbia, or to be applicable thereto.

And whereas such Proclamation of the said first mentioned Act has been duly made on this 19th day of November instant.

And whereas by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, Her Majesty was pleased to appoint James Douglas to be Governor of British Columbia, and to authorize the said James Douglas by Proclamation issued under the Public Seal of the said Colony, to make Laws, Institutions, and Ordinances for the peace, order, and good government thereof.

It is therefore hereby enacted and proclaimed by the Governor of British Columbia, that the Civil and Criminal Laws of England, as the same existed at the date of the said Proclamation of the said Act, and so far as they are not, from local circumstances, inapplicable to the Colony of British Columbia, are and will remain in full force within the said Colony, till such time as they shall be altered by Her said Majesty in Her Privy Council, or by me, the said Governor, or by such other Legislative Authority as may hereafter be legally constituted in the said Colony; and that such Laws shall be administered and enforced by all proper Authorities against all persons infringing and in favor of all persons claiming protection of the same Laws.

Issued under the Public Seal of the said Colony, at Fort Langley, this Nineteenth day of November 1858, in the Twenty-second year of Her Majesty's Reign, by me,
JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

No. 26.

No. 26.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 35.)

Victoria, Vancouver's Island, November 27, 1858.

(Received January 29, 1859.)

SIR, (Answered No. 14, February 4, 1859, page 78.)

1. I HAVE to communicate for your information, that I advised Captain Grant, the Officer commanding the detachment of Royal Engineers, who lately arrived here for the service of the Colony of British Columbia, to proceed without delay to Fort Langley, Fraser's River, and to put up buildings there for the accommodation of his own party and of the other troops expected from England, as by taking those steps I was of opinion he would be carrying out to the letter the wishes of Her Majesty's Government. the instruc-

BRITISH
COLUMBIA.

tions of Colonel Moody, his commanding officer, and my own views with respect to the requirements of British Columbia.

2. Captain Grant coinciding with me in those views, it was arranged that the whole detachment of Royal Engineers should be transported, with all their stores, provisions for four months, and building materials for the construction of several wooden houses of respectable size, to Fort Langley, an arrangement which was successfully and at once carried into effect.

3. I have further chartered the Hudson's Bay Company's brigantine "Recovery," used hitherto as a revenue vessel, to lodge the troops, until houses are erected for their accommodation, so that they are thoroughly protected from the weather, and made as comfortable as circumstances will permit.

4. The men are in high spirits and in perfect health.

5. I also made a requisition on Admiral Baynes for a medical officer to remain with the troops.

Trusting these proceedings may meet with your approbation,

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 27.

No. 27. COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 37.)

Victoria, Vancouver's Island, November 27, 1858.

(Received January 29, 1859.)

(Answered No. 30, March 10, 1859, page 81.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your communication No. 20, of the 16th September last.*

* See page 65,
Part I.

2. It is to me a most satisfactory and encouraging circumstance that Her Majesty's Government continue to approve of my proceedings in administering the Government of British Columbia. I feel truly grateful for your kind support, and in consequence more capable of encountering the difficulties with which, though in a lesser degree, we are still beset.

3. I have with much pleasure, and according to your instructions, conveyed to Captain Prevost and Captain Richards, the Officers commanding H.M.S. "Satellite" and "Plumper," your acknowledgments for the cordial assistance which they have rendered to this Government whenever their services were required, and they are gratified by the compliment.

4. Her Majesty's Government may feel assured that I will endeavour to dispense as much as possible with the use of military assistance in administering the affairs of Government; and I have no doubt that with time, and when there is a fixed population having vested rights and interests at stake in the country, that a military force may, in a great measure, become unnecessary; but until those changes take place, I would strongly recommend the maintenance of a respectable military or naval force to represent the power and uphold the dignity of Her Majesty's Government.

5. I would also take the liberty of suggesting the employment of one or two gun boats of light draught for the protection of the public revenue, and also for conveying Government stores and troops from one part of the coast to another, a service that cannot be effected in country ships without much delay and enormous expense.

6. Those vessels will also be urgently required for the protection of persons who may be induced by the revocation of the Hudson's Bay Company's licence to embark in the trade of the coast north of Fraser's River, with the numerous and warlike tribes of Indians inhabiting that part of British Columbia, and who will not fail to demand the protection of Government, so obviously requisite in the prosecution of their commercial pursuits.

7. Rear-Admiral Baynes, with whom I have conversed on the subject, is of opinion, that those gunboats are also capable of navigating Fraser's River, and it is certain that their presence would have a powerful and salutary influence on the foreign population of the country.

8. The Rear-Admiral is also of opinion that two of those vessels might be detached without inconvenience from the fleet now employed on the coast of China, a circumstance which I submit for your consideration, and most earnestly hoping that the suggestion may be favourably entertained.

9. It is perhaps unnecessary to occupy your time with remarks concerning the privileges of the Hudson's Bay Company, which have ceased to exist in British Columbia.

10. We have succeeded with difficulty in preventing the unlawful occupation of the public domain, and I look forward with anxiety for Colonel Moody's arrival to commence the survey and allotment of land in British Columbia.

11. I observe the appointment of Mr. W. Hamley to the office of Collector of Customs for British Columbia, and that he was to sail in the "Thames City," in a few days from the date of your Despatch.

12. My own views entirely concur with your remarks on the great importance to the general social welfare and dignity of the Colony, that gentlemen should be encouraged to come to this country by the hope of obtaining professional occupation, as stipendiary magistrates, or in other respectable public appointments; and there are really very few persons, the officers of the Hudson's Bay Company excepted, qualified to fill offices of trust and responsibility; and I would remark in reference to the officers of the Hudson's Bay Company, that they are engaged in other pursuits, and have in no instance been appointed to any office under Government, nor do any of them appear disposed to accept of any public employment.

13. I would for these reasons recommend that careful appointments should be made in England. There is here a wide field for such situations, and the qualities requisite are, integrity, sobriety, firmness, zeal, industry, implicit obedience to orders, and a practical acquaintance with the nature of the duties to be performed.

14. I shall most gladly attend to your wishes for any newspapers containing matter worthy of attention, and shall not fail to inform you of everything of importance that passes in British Columbia.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS.
Governor.

No. 28.

No. 28.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 38.)

Victoria, Vancouver's Island, November 29, 1858.

(Received January 29, 1859.)

(Answered, No. 20, February 11, 1859, page 80.)

SIR,

1. THE first operation disposing of public lands in British Columbia took place here on the 25th instant, under the direction of Mr. Pemberton, Colonial Surveyor for Vancouver's Island.

2. The spot selected for sale was the site of a former establishment of the Hudson's Bay Company, known as "Old Fort Langley," on the left bank of Fraser's River, about 28 miles from its debouche into the Gulf of Georgia. The anchorage is good, and the river deep enough for ships close into the bank. With a cheerful aspect, a surface well adapted for buildings and drainage, it has the disadvantage of being in part low, and occasionally flooded by the river. The greater part of the site is, however, a dry, elevated table land, closely covered with bush and lofty pine trees.

3. On the whole it is a place to which public attention was strongly directed as being a very advantageous site for a commercial town. I therefore directed that it should be surveyed, and laid out into convenient lots for sale. The main streets, 78 feet wide, are intended to run parallel with the river, connected by cross streets at right angles with the former, the whole site covering 900 acres of land, being divided into 183 blocks of five by ten chains, and each of those blocks being further subdivided into 18 building lots, 64 by 120 feet in extent, forming in all 3,294 building lots.

4. It was arranged that the upset price was to be £100 or 20*l.* 16*s.* 8*d.* There was a large assemblage of people on the morning of the sale, and much competition for lots. The highest price obtained for single lots was \$725, and about 187 lots were sold on the first day's sale, and 155 lots on the second day, the whole yielding a sum of about 13,000*l.*, on which a deposit of 10 per cent. was paid down, and the remainder is to be paid in course of a month, or the lots will be resold.

5. The sale is to be resumed on the 1st December, and I will further mention the result in a postscript to this letter, should the mail now daily expected not leave before that date, and also forward Mr. Surveyor Pemberton's report of the sale.

6. The result of this first experiment is highly satisfactory, as intimating the confidence entertained by the public in the resources of British Columbia, and at the same time yielding a needful supply of money for defraying the necessary expenses of the public service.

Enclosure 1.

BRITISH
COLUMBIA.

Enclosure 2.

7. As much anxiety was felt by foreigners desirous of acquiring property in British Columbia with respect to the rights of aliens to hold and transfer real estate under the British Crown, I issued a note giving a brief exposition of the question, and caused it to be read before the crowd assembled at the sale, and generally circulated for the information of the public, in order that no misapprehension might exist on the subject, and I herewith transmit a copy of that note for your information.

8. I am now preparing a measure which proposes to secure to aliens the full rights of possession and enjoyment of any lands which they may purchase of the Crown for the space of three years, when they will be required to become British subjects, or convey their rights to other parties who enjoy that privilege by birth or naturalization. That measure being in conformity with the spirit of your instructions will, I trust, meet with the approval of Her Majesty's Government.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

P.S.—December 1. Mr. Pemberton's report, referred to in this Despatch, is herewith forwarded, with the latest particulars of the sale.

Enclosure 1 in
No. 28.

Enclosure 1 in No. 28.

SIR,

Land Office, Victoria, November 30, 1858.

In accordance with your instructions I had the town site at Langley—about 900 acres—laid out in building lots, each 64 feet by 120 feet, about 3,000 in number, and put up for sale by public auction at Victoria, as previously advertised on the 25th November and following days, and have the honour to report as follows:—

About 350 lots were sold at an average price of 200 dollars each, the rest remaining for the present unsold. The highest price paid for any full-sized lot was 725 dollars, and the least 100 dollars. The actual number of purchasers was 165. But as these were in many cases agents for others, and the highest-priced lots often purchased for several persons, I should think between 400 and 500 persons have a pecuniary interest in the success of the new town.

Of the whole sum 70,000 dollars, or 14,583*l.* 6*s.* 8*d.*, only one-tenth is paid up, the proposed purchasers being bound to pay up the remainder within a month, or, in default, forfeit their interest in the instalment and land.

Unless some improvements are made, and buildings commenced to encourage the wavering, I believe that the latter alternative will in many instances take place. I would therefore respectfully suggest, for your Excellency's consideration, whether, previous to the erection of saw-mills, and for a limited time only, anything can be done to facilitate the ingress of building materials; and, in conclusion, would mention, as a case in point—not a solitary instance—a person professing to be a British subject and residing at Whatcom, says he could easily take his house to pieces and carry it up the river, but to do so, entering it first at Victoria, would be impossible. If the first purchasers succeed, an extensive sale of town and suburban lots at Langley may be reasonably looked for in spring.

I have, &c.

His Excellency James Douglas,
Governor, &c.(Signed) JOSEPH D. PEMBERTON,
Acting Colonial Surveyor.Enclosure 2 in
No. 28.

Enclosure 2 in No. 28.

As to the Purchase of Lands by Aliens.

Victoria, Vancouver's Island, November 25, 1858.

1. ACCORDING to the law of England, which is also the law of British Columbia, an alien may hold lands, but is liable to have them declared forfeited to the Crown at any time.

2. No alien can be disturbed in the possession of lands by any other person than the Crown authorities by reason only of his being an alien.

3. The Colonial Government proposes to secure to aliens the full rights of possession and enjoyment of any lands which they may purchase at this sale for the space of three years. At the end of that time they must, if they wish to continue to hold the lands, either become themselves naturalized British subjects, or else convey their rights to British subjects. Such conveyances it is the intention of the Colonial Government not to disturb on the ground of any vendor being an alien.

4. It is the intention of the Colonial Government to endeavour to obtain from the Home Government their sanction to measures for carrying into effect the above views, which measures are now in preparation; but they must depend, for their full effect, on the ratification by the Home Government.

No. 29.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.BRITISH
COLUMBIA.

No. 29.

SIR, (No. 39.) Victoria, Vancouver's Island, November 30, 1858.
(Received January 29, 1859.)

SEVERAL murders having being committed in British Columbia by white men engaged in mining pursuits, and it having been found expensive, not only to bring them to trial, which has nevertheless been in every case accomplished, but also impossible to carry out the sentence of the law in cases where criminals are sentenced to transportation for life, for the reason that there is no penal settlement within reach, and that I have no means of forming a settlement for that purpose on this coast.

I am therefore much perplexed about the disposal of convicts of that class, and wish to learn if Her Majesty's Government will permit their removal to any penal settlement in Australia, and how the expense of their removal is to be defrayed.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 30.

No. 30.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.SIR, (No. 40.) Victoria, Vancouver's Island, November 30, 1858.
(Received January 29, 1859.)

1. SINCE my last report on the state of the country of the *9th instant there have been no decided changes or events of much importance connected with British Columbia.

* Page 27.

2. The exodus from Fraser's River continues at about the rate of 100 persons a week. The reasons assigned by those persons for leaving the country are various, some having families to visit and business to settle in California, others dreading the supposed severity of the climate, others alleging the scarcity and high price of provisions, none of them assigning as a reason for their departure the want of gold.

3. There has lately been a great deal of rain at Fort Yale, and the mountain tops are covered with snow. There has been, however, no severe cold weather, neither is there any snow in the valley of Fraser's River.

4. A considerable traffic with the Upper Fraser's River is now being started by the Harrison's River road, which will ultimately become the great commercial thoroughfare of the country. An unexpected obstacle to the passage of steamers into Harrison's Lake has been discovered since the river fell to its lowest stage, in a shallow rapid about half a mile in length, which occurs near the entrance of Harrison's Lake. When that obstacle is removed, and no exertion should be spared to accomplish that desirable object, there will be a free passage for river steamers through Harrison's Lake and to Port Douglas at every stage of the river.

5. A Mr. Hovey called upon me this afternoon, to report having struck rich bank diggings on the left bank of Fraser's River, 125 feet from the river, and about eight miles below the confluence of Bridge River. He also states that a party of ten men, who are employed in working an adjoining bank, have succeeded in bringing in a supply of water sufficient to run four sluices, which lately yielded 148 ounces of gold in three weeks. The gold found is not of the flaky sort, but of that description which is termed in California "round shot gold," where it is considered indicative of the richest places.

Mr. Hovey is of opinion that all the "river benches" or "table lands" between the forks of Thompson's River and the Fountain will be found equally productive in gold.

Mr. Hovey also reports having seen a specimen of pure copper that was found near the same spot.

6. It has been for some time reported that several French miners have discovered gold in remunerative quantities on Harrison's River, and that they are now at work, and making fair wages, a report which wants confirmation, though it is not at all improbable, as the soil in that district is known to be auriferous, and it will, I trust, become a profitable mining district.

7. I have not heard from Mr. Commissioner Travaillot since the beginning of the present month. He reports the general want of provisions among the miners of the Fort Dallas district, and suggests that supplies should be forwarded to that part of the country by the Hudson's Bay Company or by the Government.

BRITISH
COLUMBIA.

8. The Hudson's Bay Company may act in that matter as they think proper, but it would, for obvious reasons, be highly injudicious to embark the resources of Government in commercial undertakings, even to accomplish a public object.

9. In opening an accessible communication by Harrison's River the Government has discharged its proper duties, leaving commercial objects entirely to private enterprise.

10. I have the honour of transmitting herewith the following numbers of the "Victoria Gazette," which may prove interesting:—25th November, 27th November, 30th November.

11. I have been at some trouble to ascertain the amount of gold produced in British Columbia this season, and now submit the following estimates and returns, which, without professing to be absolutely correct, will serve to give an approximate idea of the quantities of gold dust exported and remaining on hand in the country.

The quantities marked thus * are actual returns, and their correctness may be relied on. The estimates are made up from the best information I could receive on the subject:—

	Ounces.
Wells, Fargo, and Co., exported - - -	16,593*
Freeman and Co., no returns, but estimate - - -	9,462
Ballou and Co., in deposit - - -	6,250*
Hudson's Bay Company, exported - - -	4,000*
	<hr/> 36,305
Estimates in the hands of private parties, exported -	30,000
Ditto in the hands of miners in British Columbia -	40,000
	<hr/> 70,000
Supposed production of gold since the month of June } 1858 - - - - -	<hr/> 106,305

12. The actual produce of gold probably exceeds the quantity I have stated, an impression derived from the official returns of goods imported into Vancouver's Island for the quarter ending with the 30th day of September last, amounting to the large sum of 231,376*l.* sterling, nearly the whole of which appears to have been absorbed in supplying the demand of British Columbia, and paid for in gold dust.

Enclosure.

13. A cutting from the "San Francisco Herald" of the 20th November last, which I have just received, and now forward, corroborates the statements in this letter, and gives a return of \$511,000 as the amount of gold received from Frazer's River by the United States branch mint and several mercantile firms at San Francisco, and in making that return the writer has evidently no desire to exaggerate the resources of British Columbia.

14. The whole return is satisfactory, inasmuch as it shows that a very considerable revenue may be raised from the duties now levied on imports as soon as that law can be strictly enforced.

15. The mail steamer has, I regret to say, not yet arrived here, and it is almost certain that our letters now ready for transmission will not arrive at San Francisco in time for the mail steamer, which leaves that port on the 5th proximo for Panama. Our last mail was not more fortunate, and would, I fear, be detained at San Francisco for the steamer of the 5th of December.

16. I have just received letters from Mr. Justice Smith, of Fort Hope, who reports the arrival of the first Government mail from this place, that the town is rapidly improving, and that substantial buildings are being erected, and that peace and quiet reigns throughout the district.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

Enclosure in No. 30.

San Francisco Herald, November 20.

Enclosure in
No. 30.

The "Prices Current and Shipping List," one of the strictest and most correct papers of its class, seems to doubt our estimate of Frazer River gold that has reached this country, which was placed at about 425,000 dollars, and says that a great portion of the amount named must have been in coin, which,

as it went from California, should not be counted as Frazer River gold. The "Prices Current and Shipping List" then makes its estimate, which it places at only about 150,000 dollars in dust, received here from Frazer River. In order to satisfy ourselves about the matter, which is rather an important one, we obtained rough estimates from Messrs. H. Van Valkenberg, Kellogg and Humbert, and Bull and Banks, of the amount of Frazer River dust received, by their respective firms, from the time the fever commenced until now, with the following result:—

H. Van Valkenberg	-	-	-	-	-	-	\$ 65,000
Kellogg and Humbert	-	-	-	-	-	-	200,000
Bull and Banks	-	-	-	-	-	-	100,000
U. S. Branch Mint	-	-	-	-	-	-	146,000
Total	-	-	-	-	-	-	\$ 511,000

It must be remembered these were distinct and separate portions of dust, in no manner confounded, as we took care to make suitable inquiries on that point. The foregoing statement shows that our former estimate was below the fact, instead of being excessive. But granting that half a million of dollars in round numbers have been realized from the Frazer River region, several very important facts must be borne in mind in connexion therewith. In the first place, the digging has been carried on from the commencement, in March last, to the present time, a period of nearly nine months.

Secondly, from one to thirty thousand of our most energetic miners have been more or less engaged in working the mines.

Thirdly, that great numbers of Indians have also occupied themselves in extracting gold from them.

Fourthly, that a great many people from Oregon and Washington Territories likewise assisted in getting out this gold.

Fifthly, that the gold obtained by Americans—whether from California, Oregon, or Washington Territories—as well as that obtained by Canadian diggers, English diggers in New Columbia, and the Indians, eventually found its way to California, having been exchanged for coin sent from this State, and for the purpose of assay and coining, which could only be secured here. From these data, we argue—

1st. That nearly all the gold dug in New Columbia has been brought to California;

2nd. That the gross amount will scarcely exceed half a million of dollars;

3rd. That for the space of six months out of the nine that the Frazer River mines have been worked, at least ten thousand miners, of all sorts and classes, were engaged in the operation;

4th. That during the other three months not less than two thousand were so employed.

Leaving the last-mentioned class entirely out of the question, and throwing in the result of their labours, we should have a return of fifty dollars to each miner of the ten thousand for his six months' hard work. Then reckon expenses, say about 350 dollars per man for the period mentioned, including passage money, and we come to the unavoidable conviction that they sustained a loss of 300 dollars each. We have not entered into a minute examination of the subject, but give the above as the result of our inquiries, and a rough calculation of the facts as gleaned. It would be difficult to find a more discouraging business than mining on Frazer River has thus far proved to the number engaged in it.

No. 31.

No. 31.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 42.)

Victoria, Vancouver's Island, December 4, 1858.

SIR,

(Received January 29, 1859.)

1. I HAVE the honour of forwarding herewith for your information copies of two Proclamations, issued respectively on the 2nd and 3rd days of December instant.

2. The first relates to the conveyance of Crown lands, and its object is explained in the accompanying note from Mr. Begbie.

Enclosure.

3. The other Proclamation, issued yesterday, is for the purpose of imposing duties and imports into British Columbia, to provide a revenue for defraying the public expenses of the Colony.

Enclosure.

4. The Ordinance is to remain in force for six months to test its operation, and it will then be amended or continued in its present form, as may appear expedient.

5. The port of Victoria is for the present declared the port of entry for British Columbia, until arrangements are made to collect the duties at some point on Frazer's River.

6. Hoping that those proceedings may meet with the approval of Her Majesty's Government,

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

BRITISH
COLUMBIA.Enclosure 1 in
No. 31.

Enclosure 1 in No. 31.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies.

PROCLAMATION having the force of law, to enable the Governor of British Columbia to convey Crown Lands sold within the said Colony.

WHEREAS by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith, I James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation issued under the Public Seal of the Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same.

Now, therefore, I James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, ordain, and enact, that on and after the day of the date of this Proclamation, it shall be lawful for the Governor for the time being of the said Colony by an instrument in print or in writing or partly in print and partly in writing, under his hand and seal, to grant to any person or persons any lands belonging to the Crown in the said Colony, and every such instrument shall be valid as against Her Majesty, Her heirs, and successors, for all the estate and interest expressed to be conveyed by such instrument in the lands therein described.

Issued at Victoria, Vancouver's Island, under the Public Seal of the Colony of British Columbia, this Second day of December One thousand eight hundred and fifty-eight, in the twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS, (L.S.)
Governor of British Columbia.

GOD SAVE THE QUEEN.

Sub-Enclosure.

Sub-Enclosure.

COPY of NOTE from MATTHEW B. BEGBIE, Esquire, to Governor DOUGLAS, dated Victoria, December 1, 1858.

It appears to me that the title of the Crown can only be conveyed by Letters Patent under the Great Seal, or under the authority of an Act of Parliament.

I should, therefore, recommend a Proclamation having the force of law to be immediately issued, empowering some person or persons to convey the legal estate in Crown Lands which have been contracted to be sold.

This merely provides machinery for carrying into full legal effect the sales which have already been made equitably at the auction, and subsequently thereto in the surveyor's office.

(Signed) MATTHEW B. BEGBIE.

Enclosure 2 in
No. 31.

Enclosure 2 in No. 31.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of British Columbia, having the force of Law, to authorize the levying of Customs Duties upon Goods imported into British Columbia.

WHEREAS it is expedient to provide ways and means to enable Her Majesty to defray the public expenses of the Colony of British Columbia, and in aid thereof to authorize the levying of duties of customs on goods imported into the said Colony and its dependencies: And whereas by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, which has been duly proclaimed and published, I, the Governor of British Columbia, have been authorized by Proclamation under the Public Seal of the Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same.

Now, therefore, I, James Douglas, Governor of the said Colony, do proclaim, ordain, and enact for law, as follows; to wit,

Sect. 1. All goods, wares, and merchandise not otherwise herein-after mentioned, imported into British Columbia, or any of its dependencies, shall be chargeable with a duty of ten pounds per centum on the amount of the value thereof at the port of entry.

Sect. 2. There shall be charged on the articles next herein-after mentioned the following duties of customs :-

	£	s.	d.
Flour, in barrels or sacks, 196 lbs.	-	-	0 2 1
Bacon, per 100 lbs.	-	-	0 4 2
Spirits and strong waters of all kinds, sweetened or otherwise, for every imperial gallon of full strength of proof or less than proof by Syke's hydrometer, and in proportion for any greater strength than the strength of proof, and for any greater or less quantity than a gallon	-	-	0 4 2
Wines, in wood or bottle, per imperial gallon	-	-	0 2 1
Ale, spruce, and other beer, porter, cider, and perry, in wood or bottle, per imperial gallon	-	-	0 0 6½
Beans, pease, and pulse of all descriptions used for food, per 100 lbs.	-	-	0 0 6½
Barley, oats, and all other grain, per 200 lbs.	-	-	0 0 6½

Sect. 3. The following articles will be entered free of all duties; to wit,

Coin, quicksilver, fresh meat, fish, fruit, vegetables, sawed lumber, shingles, fuel, hay and straw, wheat, potatoes, poultry, live stock of all kinds, machinery for agricultural purposes, seeds, bulbs and

roots of plants and shrubs, salt, printed and manuscript books and papers, passengers' baggage, apparel, and professional apparatus; all articles imported for the public service and uses of the Colony of British Columbia, or for the use of Her Majesty's Land or Sea Forces stationed therein, or for the use of any person holding any command or appointment in Her Majesty's Forces aforesaid.

Sect. 4. The bill of entry and the declaration of the importer shall be according to the form prescribed for the entry of dutiable goods by the Act of the Imperial Parliament, passed in the 16th and 17th year of Queen Victoria, entitled the "Customs Consolidation Act, 1853."

Sect. 5. All evasions and offences committed by any person or persons to defeat the payment of the duties hereby made payable on all goods imported into British Columbia, will be prosecuted and punished in the manner prescribed by the said "Customs Consolidation Act, 1853."

Sect. 6. And whereas the Port of Victoria in Vancouver's Island, in which port is included the harbour of Esquimalt, is a free port, and vessels entering or leaving the same, or goods landed thereat, are subject to no tolls, duties, payments, or exactions whatever, (except such as are specified in the schedule hereto appended): And whereas there is at present no Officer in British Columbia empowered to levy the duties aforesaid, nor any station in the said Colony, at which the said duties can conveniently be levied, or at which any such Officer can be conveniently posted. I do further proclaim, declare, and enact, that for the present and until further provision be made for the collection of the same duties, the said Port of Victoria, Vancouver's Island, shall be the port of entry for all goods imported into British Columbia and its dependencies, or any part thereof; and the duties hereby made payable on goods imported into British Columbia and its dependencies shall be under the management of the Collector of Her Majesty's Customs at Victoria, and shall be ascertained, raised, levied, collected, paid, and recovered at Victoria aforesaid, according to the provisions of the laws now in force or hereafter to be made relating to the Customs.

Sect. 7. This Proclamation shall take effect, and the duties hereby enacted and imposed shall be payable on all goods imported or attempted to be imported into British Columbia after the day of the date hereof.

Sect. 8. This Proclamation shall continue in force for six calendar months from the date hereof, unless the same shall, before the expiration of the said period of six calendar months, be modified or repealed by lawful authority, and shall not continue in force beyond such six calendar months, unless the same shall in the meantime, by Proclamation or other lawful authority, be extended or prolonged.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this Third day of December One thousand eight hundred and fifty-eight, in the twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

No. 32.

No. 32.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 45.)

Vancouver's Island, December 9, 1858.

SIR, (Received January 29, 1859.)

1. I HAVE the honour to acknowledge the receipt of your Despatch No. 23, of the 17th of September last, acquainting me that the Society for the Propagation of the Gospel have selected the Rev. James Gammage to officiate among the mining population of British Columbia, that you had provided Mr. Gammage (who will be paid by the Society) with a passage in the ship "Thames City," which was about to take out the party of Engineers to British Columbia.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 33.

No. 33.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 46.)

Victoria, Vancouver's Island, December 9, 1858.

SIR, (Received January 29, 1859.)

1. I HAVE to acknowledge the receipt of your Despatch No. 24, of the 24th of September, in which you kindly approve, under the peculiar circumstances in which I was placed, of the allowance of pay to the companies of H.M. ships "Satellite" and "Plumper," from the local revenue, equal to their rate of pay from the Crown.

2. That extra allowance of pay was made for three months up to the 30th of September last, when it was not considered necessary to continue it for a longer time, and with the knowledge and approval of Admiral Baynes, who concurred with me regarding the allowance as unusual and forming a troublesome and inconvenient precedent, that

BRITISH
COLUMBIA.

decision was made known to Captains Prevost and Richards, to announce to their respective ships' companies.

3. The charge for that quarter was as follows:—

	£	s.	d.
"Satellite" - - - -	2,253	14	8
"Plumper" - - - -	1,118	11	7
	<hr/>		
	£3,372	6	3

4. I have already liquidated one-third of that sum; I propose to pay a second instalment very shortly, and the third will be paid as soon as circumstances permit.

5. Had the extra allowance been limited to the ships' companies, the amount of pay would have been moderate; but applying as it did to the captain and officers, the charge became an intolerable burden on our limited income, and to me a source of ceaseless trouble and anxiety.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 34.

No. 34.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 50.)

Victoria, Vancouver's Island, December 7, 1858.

(Received January 29, 1859.)

(Answered No. 17, February 8, 1859, p. 79.)

SIR,

Enclosure.

1. I HAVE the honour of transmitting herewith copy of a letter lately addressed to me by the Agents of the Hudson's Bay Company residing at this place, setting forth the claims of the Company to certain tracts of land connected with their several trading establishments in British Columbia, which they have occupied for many years, and improved by settlement and otherwise at much expense.

2. Her Majesty's Government may probably consider that the Hudson's Bay Company have acquired rights to the soil through permissive occupation and improvement, as well as by the public services which the Company have rendered to the country, and may therefore meet their claims in a spirit of judicious liberality, especially as the settlement of the Company's possessory rights in Oregon, resting on the construction of the third article of the Treaty of the 17th of July 1846 with the United States of America, will probably be influenced by the decision of Her Majesty's Government in allowing or disallowing the possessory rights of the Company in British Columbia.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

Enclosure in
No. 34.

Enclosure in No. 34.

COPY of Letter from JOHN WORE and DUGALD McTAVISH, Chief Factors, Hudson's Bay Company, to Governor DOUGLAS, dated Fort Victoria, Vancouver's Island, November 24, 1858.

SIR,

WE beg to call your Excellency's attention to the following list of claims to land in British Columbia, which we consider as belonging to the Hudson's Bay Company, and trust that their title to the same will eventually be confirmed by Her Majesty's Government.

1. Old Fort Langley.
2. New Fort Langley and adjacent farms.
3. Point at the Forks of Smess River.
4. Point at the Forks of Harrison's River.
5. Fort Hope, with cleared land adjoining, especially block No. 1 on official map of the town, which encroaches on the fort.
6. Fort Yale, portion marked "reserve," and block XVII. on official map of the town.
7. Fort Dallas.
8. Fort at Kamloops, known as Thompson's River, with lands adjacent.
9. Fort Douglas.
10. Fort Shepherd on the Columbia River, with adjoining lands.
11. Fort in the Kootanais Country, if north of the 49th parallel.

12. The various posts in New Caledonia belonging to the Company, and other points along the route from Fort Hope to Thompson's River and New Caledonia, not permanently occupied but improved by the sowing of grass seeds.

13. Fort Simpson with lands adjoining.

14. Fort McLaughlin.

Your Excellency is no doubt aware, that we are unable at present more particularly to define the limits of the Company's claims, but we hope the foregoing statement is sufficiently explicit for the authorities to act upon until accurate surveys can be made of the whole.

We have, &c.

(Signed) JOHN WORK,
DUGALD MACTAVISH,
Chief Factors, Hudson's Bay Company.

No. 35.

No. 35.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 51.)

Victoria, Vancouver's Island, December 14, 1858.

(Received January 29, 1859.)

(Answered No. 22, February 12, 1859, p. 80.)

SIR,

1. SINCE my report of the 30th of November on the state of British Columbia, there has been a change in the weather from mild to cold; the mercury fell on the 5th of instant to 12° Fahrenheit; there have been several falls of snow to the depth of ten inches, and Frazer's River from Langley to Point "Aitch Bee Cee" is frozen over and impassable for ships. The river above Langley was by last accounts also frozen, and winter fairly set in, though at an unusually early season of the year.

2. No accounts from Langley have, in consequence of the cold weather, been received here for the last week; but the weather being now milder, two steamers are preparing to leave to-day with freight and passengers for that place, and it is hoped they will succeed in forcing a passage through the ice.

3. We have had no tidings from Fort Yale since the 25th of November last; the weather was then mild, but exceedingly wet, and the miners doing little in consequence of the state of the weather; others of that class were, nevertheless, still moving onwards by the river with goods and provisions for the upper country.

4. The country was then generally in a state of tranquillity.

5. The American steamer "Pacific" left this place on the 4th of instant with 400 passengers, principally returning miners for the Port of San Francisco. The export of gold dust by that vessel was reported to be ten thousand ounces, exclusive of a large amount in private hands.

6. An export duty on gold would now yield a respectable amount of revenue, and together with the duties levied on imports, would probably yield an income of 100,000*l.* per annum.

7. With some assistance from Parliament in the outset, either by way of loan or as a free grant, the Colony will soon emerge from its early difficulties and defray all its own expenses.

8. This has hitherto been accomplished without assistance from any quarter, as I have not yet drawn upon you for any expenditure incurred in the Colony, which have all, nevertheless, been paid.

9. I cannot, however, undertake immediately to defray the cost of the detachment of Royal Engineers appointed for the protection of the country, as a large sum must this year be provided for the erection of the many public buildings so much need in British Columbia.

10. I propose building a small church and parsonage, a court-house, and gaol immediately at Langley, and to defray the expense out of the proceeds arising from the sale of town lands there.

11. The mail steamer is expected in to-night, but will probably leave again immediately afterwards for San Francisco, allowing no time for replying to letters by the same mail.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 52.)

Victoria, Vancouver's Island, December 24, 1858.

SIR,

(Received February 12, 1859.)

1. IN consequence of the return of mild weather the ice on Frazer's River has broken up, and vessels are again plying with goods and passengers between this place and Fort Langley.

2. The steamers "Santa Cruz" and "Beaver" lately returned from thence, with upwards of 300 passengers from the mining districts, and, as reported on good authority, 7,340 ounces of gold dust, exclusive of the sums in the hands of miners.

3. The passengers who arrived by those vessels suffered much privation on their journey to Fort Langley, in consequence of the freezing of the river about 40 miles above that place, where they were detained by ice, and imprudently attempted to make their way through the woods to Fort Langley, without the precaution of taking guides or food, or, in short, providing in any manner for their own comfort or safety. The poor fellows soon lost their way, and after wandering for several days through the pathless forest, were nearly perishing of cold and hunger, before they could be rescued from their perilous situation.

4. Those people, who were principally returning miners, complain bitterly of the cold, and appear physically disqualified by the enervating effects of a long residence in California for the more rigorous climate of British Columbia.

5. The reports from the upper country are favourable, confirming all our previous opinions of the great mineral wealth of the interior of British Columbia.

The want of roads and difficulty of access are still the great impediments to the development of the mineral wealth of that region.

6. The Harrison's River Road is, after an endless deal of trouble and anxiety, from the want of honest and able men to carry out the plans of Government, fairly open to traffic, and its advantages will be of incalculable value to the country. We have had a town site laid out on that road at Port Douglas, and have caused town lots, of the usual size, to be issued under leases to all persons wishing to build there for the present winter, and about 70 of those lots are occupied.

7. Some specimens of gold, procured by sluicing on Harrison's River, have lately come into my possession, adding force to the opinion that the country in that quarter is probably not greatly inferior to Frazer's River itself as an auriferous district.

8. Bridge River is now the favourite gold district, specimens of copper and a small specimen of silver now in my possession having recently been brought from that part of the country.

9. Mr. Commissioner Travaillot's last report from "Lytton" (forks of Thompson's River) is dated the 7th of December. There was then a very slender stock of food in his district, and provisions were selling at a high price; but there was a prospect of speedy relief, as supplies of flour and other articles of food were beginning to arrive by the Harrison's River Road.

10. Many of the white miners had, nevertheless, left the country in despair of being able to get through the winter without suffering much privation, and those who remained behind were peaceable and well conducted. Their conduct towards the Indian population, and of the latter to the whites, had been good, and no serious difficulty had occurred since the month of October.

11. The police had, in one instance, met with resistance on a mining bar above Lytton, from a party of miners, who sought to protect a person named D. Brown, charged with a criminal offence; but they succeeded, after a hard fight, in capturing the criminal, who, with four of his friends, had posted themselves in a log house for defence.

Brown was severely wounded in the struggle, and is not yet recovered.

12. This is the first and only instance of open resistance to the law that I have had to record in British Columbia, and I am glad to say the police did their duty faithfully on the occasion.

13. Mr. Travaillot's statement of public receipts and expenditures exhibits a deficit of nearly 100% against his district, and he remarks that in the present state of things a more favourable result could hardly be expected.

Food of all kinds has been scarce and dear, and the sources of supply at a great distance from the mining bars; the miners were therefore kept continually travelling to and fro to procure subsistence, thereby exhausting their money as well as their physical energies in extremely fatiguing journeys over a rugged country, carrying loads of from 80 to 100

pounds on their backs, and latterly, the cold weather, the thermometer having fallen to 10° Fahrenheit, had compelled the miners to suspend work altogether. In such circumstances, the licence fees could not be enforced with advantage to the public revenue.

14. There is nothing further of much importance to communicate respecting the affairs of Mr. Travillot's district.

15. I have also lately received satisfactory accounts from the District of Fort Yale. Mr. Hicks, the Assistant Commissioner, having failed in carrying out his instructions for collecting the mining licence fee, and being deficient in nerve for the position he holds, it is my intention immediately to remove him, and to appoint Mr. Inspector Brew to the office he now holds as Assistant Commissioner of Crown Lands.

16. This arrangement will not interfere materially with Mr. Brew's other duties, while to me it will afford an incalculable degree of relief, as I can implicitly rely on Mr. Brew's firmness and integrity.

17. I forward for your information three numbers of the Victoria Gazette, which contain the latest reports from the mining districts, and on that account may be found interesting.

I have, &c.
(Signed) JAMES DOUGLAS,

The Right Hon. Sir E. B. Lytton, Bart. Governor.
&c. &c. &c.

No. 37.

No. 37.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 56.)

Victoria, Vancouver's Island, December 27, 1858.

(Received February 28, 1859.)

(Answered, No. 48, April 11, 1859, p. 82.)

Sir,

YOUR Despatch, No. 30, of the 16th October, I have perused with the greatest interest and attention.

I acknowledge with gratitude the effective steps which you have taken to support my authority, and the various measures which you have adopted to aid me in the arduous task of organizing the government of the Colony.

In a former communication to you, I mentioned the arrival in this Colony of Admiral Baynes in his flag-ship the "Ganges," and I recal with pleasure the cordial and hearty manner in which he entered into my views, and lent to their execution all the support in his power.

He remained in this Colony upwards of two months, and sailed for Valparaiso on the 22nd instant; the "Tribune" and "Pylades," ordered from China to this station, being then daily expected here, though the two latter vessels have not yet arrived.

I have, therefore, in obedience to your instructions in reference to this point, to report to you that Her Majesty's ships "Satellite" and "Plumper" are the only Queen's ships at present in this harbour, and that as yet no ships designed for the especial support of the civil government have arrived here.

That statement is not made with the view of urging any complaint of neglect, as you will observe, by my correspondence with Admiral Baynes before his departure, that with the force at my disposal I did not apprehend any immediate danger of the authority of Government being set at nought, especially as the "Tribune" and "Pylades" were known to be on their way to this Colony; at the same time I represented to him the great importance of having a respectable naval force collected here in spring, when a very large immigration for British Columbia may be looked for, and I rely on his taking the necessary measures to assemble that force in this neighbourhood before the emergency presents itself.

My anxiety to avoid making exaggerated demands on you for military assistance has probably led me into the opposite extreme of asking for too small a number of troops, and I admit the wisdom of the course you have taken in completing the present military force intended for the service of this Colony to 150 men, instead of the number suggested in my letter.

It is certainly advisable in the actual state of the country to err on the safe side, and to maintain a respectable military force, in order that the power as well as the dignity of the British Government may be represented.

However effective an undisciplined civilian force may be found in a well-regulated community of persons, bound to their country and institutions by the ties of early asso-

Enclosure.

Enclosure.

BRITISH
COLUMBIA.

ciation and affection, the same force would, I apprehend, prove insufficient to maintain law and order in British Columbia, among an alien population composed of all nations.

I gratefully appreciate the unceasing care and pains which you have devoted to the hastening of the necessary preparations for the departure of the main body of the troops, and of the instalments of 20 and 12 men under Captains Parsons and Grant, who, I am glad to say, are in good health and spirits, and busily engaged at this present time in erecting houses for themselves and the main body of Engineers at Fort Langley.

I have perused with great attention your remarks indicating the policy you wish to be observed in the employment, and explaining the objections to the use of a Royal military force in the collection of revenue, and as my own views on those subjects accord in all respects with the instructions in your Despatch, I will not fail in carrying them fully into effect.

In no instance have we resorted to the employment of a military force, except when the civil power was found insufficient to ensure obedience to the law, and even in those cases it was regarded as subsidiary to the ordinary means of enforcing obedience.

* * * * *

I have had much communication with Mr. Brew on the subject of forming an effective police for service in British Columbia. He proposed that a force of 150 men should be immediately raised and disciplined, but on making an estimate of the expense, assuming as data a rate of wages below what is given to ordinary labourers in the gold districts, the expense appeared to be so large, that I withheld my assent until I should have time to consult and receive your instructions on the subject.

With the small police which has been hitherto maintained in British Columbia we have succeeded, through the blessing of God, and with the aid of the well disposed inhabitants, in bringing all offenders to justice, and in maintaining a remarkable degree of quiet and good order. It is therefore unnecessary, for the purposes of security, to increase that force until the increase of population in spring, and thus it becomes a question whether, in the meantime, it would not be advisable to request Her Majesty's Government to send out at once a body of 60 of the Irish Constabulary Force, furnished with their proper arms and equipments, and who would thus be ready for service the moment they arrived in the country.

The advantages of that plan are important, as it would in the first place lead to a great saving of expense in the pay and equipment of the force; and secondly, the force would be perfectly reliable in every emergency. With that body of men as a nucleus, and spare arms and equipments for 100 more, the police force could be recruited in the country, though with a less reliable element, to any desirable extent. I will request Mr. Brew to state his opinion on that subject, and will forward the same to you, with any suggestions relative thereto that may occur to him. I trust that the plan may meet with your approval, and that you will direct it to be carried into effect.

There is every reason to believe that a well-constituted constabulary force, with a sufficient staff of stipendiary magistrates, supported by the co-operation of the well-disposed inhabitants, the military force intended for the country, and the naval force on the seacoast, will furnish in all ordinary cases the requisite protection to life and property. Should there be reason to alter that opinion, either in consequence of the deportment of the white population or of collision with the Indians, I will not fail to ask for additional reinforcements; but for the present, provided we have the means above described, I think such unnecessary.

I would hardly venture to give a decided opinion on the subject of recruiting a regular military force from the gold diggers of the Colony, as the men taking service would probably be composed of the idle and worthless classes; but to secure the services of the active adventurers I fear a very high rate of pay, not less than 12s. day, including rations, would be an indispensable condition in the outset, and the great expense of such a force, together with its unreliable character, would be an almost insuperable objection to maintaining it in the field.

The practical and skilful men for cavalry and artillery drill sent out with Colonel Moody, and who are intended to form a nucleus for such additional military force as may be required and formed in the Colony, will be of the greatest possible service should any such contingency arise.

I have further to state, in reply to your communication, that I have carefully perused your instructions providing for and suggesting how to meet the unforeseen exigencies in the Colony as they may arise, and shall attend to those instructions.

We shall also endeavour to settle all preliminary questions of law and police, and to make all suitable preparations for the expected immigration in spring, and for the safety and development of the Colony, and forward any further information we may arrive at of the probable revenue on which we may calculate. In my Letter No. 5, of the 14th instant, I estimated the revenue for the coming year at 100,000*l.* sterling, assuming that the import duty on goods would yield the sum of 80,000*l.*, and a proposed export duty on gold about 20,000*l.*; in all 100,000*l.* per annum. The sale of public land will also, I trust, yield a considerable revenue, as well as mining and other fees, so that I am in hopes of being able, after the first year, to pay all our own expenses.

Your approval of the great enterprise of the year, the opening of the Harrison's River Road, is exceedingly gratifying to me.

The real impediment to the development of the mineral region of British Columbia is no doubt the difficulty of access to it. Passable roads and means of cheap transport would soon work a wonderful revolution in the state of the country. I have done everything in my power to remove the obstacles of route, and to improve the access to the mineral region; but much remains to be done. A road through the valley of Frazer's River from the seacoast to the forks of Thompson's River is urgently wanted, to open the country for settlement, for land travel, when the river is either flooded, or impassable from ice in winter, and for driving live stock of all kinds to and from the seacoast and interior country. That great work is in part accomplished, through the co-operation of the inhabitants, and, with your approval, we may finish it before the close of next summer.

Other routes into the remote interior may be opened by Howe's Sound, explored last summer by Mr. McKay, and by Jarvis Inlet, where I also sent an exploring party some months ago, but who failed in crossing the mountains, which were covered with snow, and they were compelled to return unsuccessful.

In conclusion, I beg to assure you that I deeply appreciate the extreme kindness of your closing remarks, and you may rest assured that I will not fail in exerting every faculty to carry out the views of Her Majesty's Government, and in the meantime, I shall rely with confidence on your aid and support.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure 1 in No. 37.

COPY of a Letter from Rear-Admiral BAYNES, dated "Ganges" in Esquimalt Harbour, December 7, 1858, to Governor DOUGLAS. Enclosure 1 in No. 37.

SIR,

I BEG to acquaint your Excellency, that I propose leaving Vancouver's Island in the "Ganges," for the southern ports of the station, some time this month.

Your Excellency is aware that the "Pylades" and "Tribune" are on the way to this place from India and China, and may hourly be expected, the latter having on board a small party of supernumerary marines.

In the event of my not seeing them before I sail I shall leave orders for Captain De Courcy of the "Pylades," the senior officer, or in his absence the senior Captain, to place themselves in communication with your Excellency, and to carry out, as far as they can, your wishes in order to uphold the laws and maintain the tranquillity of the Colonies.

The importance of Vancouver's Island and British Columbia demand my earnest consideration, and I hesitate in carrying out my intentions unless I am assured by your Excellency that you are under no apprehension of any outbreak, that you consider the force placed at your disposal as sufficient to meet any exigency you think likely to occur, and that you do not deem the presence of my flag necessary for the preservation of that good order you have so happily established in both Colonies. I shall endeavour to return to Esquimalt immediately circumstances will permit.

I have, &c.

(Signed) R. LAMBT. BAYNES,
Rear-Admiral and Commander-in-Chief.

Enclosure 2 in No. 37.

COPY of a Letter from Governor DOUGLAS, dated Victoria, Vancouver's Island, December 13, 1858, to Rear-Admiral BAYNES. Enclosure 2 in No. 37.

SIR,

I HAVE to acknowledge the receipt of your letter of the 7th instant, communicating for my information that you propose leaving Vancouver's Island in the Ganges, some time this month, and also alluding to the expected arrival of the "Pylades" and "Tribune" now on the way to this place from India and China, the latter having on board a small body of supernumerary Marines, and that in the event of your not seeing them before you sail, you will leave orders for Captain De Courcy, or in his

II.

G

BRITISH
COLUMBIA.

absence to the senior Captain to place themselves in communication with me, and to carry out as far as they can my wishes in order to uphold the laws, and to maintain the tranquillity of the Colonies.

The arrangements you propose appear to me effective and perfectly satisfactory as regards the present condition of the Colony, and provided the arrival of the "Pylades" and "Tribune" be not delayed greatly beyond the period anticipated in your letter, I think the naval forces on the station will be sufficient to enable us to enforce the law, and to maintain peace and good order in the Colonies until the spring, when there will be a large influx of people from other countries, and it is impossible to exaggerate the importance of then increasing the naval force on this part of the station to the utmost extent of the means at your disposal.

I feel assured that your own wishes are in that respect; in unison with the views herein expressed, and I will therefore leave to your provident care the whole burden of providing a naval force equal to the emergency, and to give protection to the country.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor of Vancouver's Island and
British Columbia.

No. 38.

No. 38.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 58.)
SIR,

Victoria, Vancouver's Island, December 28, 1858.

(Received February 28, 1859.)

* Page 72,
Part I.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 32,* of the 19th of October last, enclosing a letter from the Archbishop of Canterbury, announcing to you the munificent endowment offered by Miss Burdett Coutts, together with your admirable reply thereto, which I shall take the liberty of publishing in this country, as it refers to a matter of general interest, for the information of the public.

A more acceptable gift than this munificent donation, or one calculated to diffuse a greater amount of public good, could hardly have been devised, and I beg, on behalf of the Colony, to offer most grateful thanks to the generous lady whose name and beneficence will be commemorated in the records of the country.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 39.

No. 39.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 62.)
SIR,

Victoria, Vancouver's Island, December 29, 1858.

(Received February 28, 1859.)

* Page 71,
Part I.

1. I HAVE to acknowledge and to observe in reply to your Letter, marked "Private," of the 16th of October* last, that I will carefully attend to your instructions respecting the employment of the Royal Engineers who have been dispatched to British Columbia.

2. I understand by your letter that Colonel Moody and his men are expected to perform all the surveying duties in the Colony, and that it is therefore unnecessary that I should accept the services of other surveyors, whose employment would add so much to the heavy expenses which the Colony is called upon to defray.

3. Anticipating such instructions, after being apprised of Colonel Moody's appointment, I made no exertion to form a surveying corps, and for the survey of the town sites in British Columbia I employed Mr. Pemberton, Surveyor of Vancouver's Island, who also managed the sales of town lands, and was most accommodating and useful in every capacity.

4. The Colony is, therefore, not encumbered with any civil corps of surveying officers.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 40.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 63.)

Victoria, Vancouver's Island, December 30, 1858.

SIR, (Received February 28, 1859.)

1. I HAVE the honour to acknowledge the receipt of your Despatch, marked Confidential,* of the 14th of October last, in which you have been pleased to favour me with the impressions derived from the perusal of the regulations framed for the management of the goldfields in British Columbia, and it is not without reason that I now express the deepest sense of obligation for the searching investigation which you have given to that subject.

* See page 67
of Part I.

2. I was sensible from the outset of the arduous nature of the task of framing regulations so perfectly adapted for a comparatively unknown country as to be unobjectionable, especially for a country situated as is British Columbia, in the close vicinity of a powerful state, whose inhabitants would for a time at least form the great bulk of the population.

3. It was to establish a legal control over the adventurers who were rushing from all sides into the country, to anticipate their own attempts at legislation, and to accustom them to the restraints of lawful authority, that I prepared and issued the gold regulations. I am therefore not wedded to the established system, as I hardly ventured to hope that it would be found in all respects so well adapted to the people and the country as to form the permanent mining code of British Columbia.

4. No serious objection has been offered by the miners to that section of the law which regulates the size of mining claims; but there has been, and I fear always will exist a strong dislike to the payment of a monthly licence fee, and the enforcement of that system might ultimately lead, as it did in Australia, to fatal interruptions of the public peace.

5. There are several other objections to the monthly licence fee considered as a source of revenue, such as the cost of collection, its equal pressure upon the prosperous and unsuccessful miner, and its frequent evasion; objections which apply with peculiar force to the extensive and hardly accessible gold districts of British Columbia.

6. I shall not fail to consider with care your suggestions, and to revise the law as it respects the extraction of gold by means of machinery from quartz rocks and other classes of mining requiring the large investment of capital.

7. My attention was in fact closely devoted to a revision of the gold regulations, when your Despatch on the subject was received.

The expediency of abolishing the monthly licence fee, in consequence of its obnoxious features, and of introducing the system which has been found to work with such happy effects in Victoria, was an idea naturally suggested by the consideration of the subject, and we should not have hesitated in adopting that system with, perhaps, some modification in details, but for the difficulty of dealing with the export duty on gold, which has proved so prolific a source of revenue in Victoria, as more than to compensate for the surrender of the monthly licence fees.

8. The imposition of a duty at present on the export of gold in British Columbia would, it is feared, be comparatively unproductive of revenue, besides having the effect of diverting the course of trade, which it has been the hitherto successful object of all our legislation to retain within our own possessions, to Samiamoo and other American frontier towns.

The miners returning with their gains to California would naturally seek to evade the payment of the duty, cross over the frontier, and take the road to those places, instead of coming direct to Victoria, which is now enriched by their visits.

9. We have, as yet, found no solution of this difficulty, but I am of opinion that it will nevertheless be advisable at once to abolish the monthly licence fees, and to replace them by an annual payment, probably exceeding the payment annually levied on miners in the Colony of Victoria.

10. It may also be advisable to adopt the other features of the Victorian system, a subject which will have my early and anxious consideration, with the aid and advice of my Executive Council, which will be composed of Lieutenant-Governor Moody and the other officers who have lately arrived from England.

BRITISH
COLUMBIA.

11. It will be our study to frame such regulations as will give satisfaction to the people at large, and to create a public revenue, with the smallest possible amount of pressure on the trade and resources of the country.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 41.

No. 41.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 65.)

Victoria, Vancouver's Island, January 6, 1859.

(Received February 28, 1859.)

(Answered No. 32, March 15, 1859, p. 81.)

SIR,

Enclosure 1.

Enclosure 2.

Enclosure 3.

I HAVE the honour of transmitting herewith a copy of a General Order of Court issued by Mr. Justice Begbie, dated 27th December last, with copies of two letters, explanatory of his reasons for admitting as a temporary arrangement members of the American bar to plead in the Courts of British Columbia.

In the absence of members of the English bar to take out the proper writs and to conduct cases, there would otherwise be no one to point out to defendants the most efficacious mode of defence, a duty which the judge would be called on to perform, and therefore to act both as adviser and judge. He despaired under those circumstances of giving satisfaction to the suitors and of maintaining the desirable high character of a British Court of Law.

For those reasons I yielded to his wishes, and agreed that the concession in favour of American lawyers should remain in force for six months, but not longer, unless there be a positive necessity, from the absence of English practitioners, of again resorting for a time to a like expedient.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.Enclosure 1 in
No. 41.

Enclosure 1 in No. 41.

COURT OF BRITISH COLUMBIA.

ORDER OF COURT.

WHEREAS, by a Proclamation under the Public Seal of the said Colony, issued at Victoria, V. I., the 24th day of December, 1, Matthew Baillie Begbie, Judge in the said Court, am authorized, while resident in Victoria, Vancouver's Island, to make General Rules and Orders of Court in the same manner and of the same force and validity as if I were resident in British Columbia.

I. It is ordered, That all the Rules and Orders of Court of the Supreme Court of Civil Justice of Vancouver's Island of the 12th day of February 1857, as altered and modified by the General Rule or Order of the 26th April 1858, shall be observed in civil proceedings in the Court of British Columbia so far as the same are, from local and other circumstances, applicable, and so far as the same are not discharged, modified, or altered by this or some future Order or Rule of Court.

II. Wherever the town of Victoria is named in the said General Orders of the 12th of February 1857 and the 26th of April 1858 as the place at which any act is to be done, or any address to be fixed, the name of Langley shall be substituted for Victoria.

III. Sessions of the Court for trial of all causes, civil and criminal, will be held four times in each year, commencing on the last Monday in January, the last Monday in April, the last Monday in June, and the last Monday in October in every year.

IV. The same fees, poundage, and perquisites shall be levied and paid on all proceedings, enrolments, and acts whatever in this Court as are now of custom or otherwise levied and paid on the like proceedings, enrolments, and acts in the said Supreme Court of Justice in Vancouver's Island, and all such fees, poundage, and perquisites shall be applied in the same manner and proportions as in the Court of Vancouver's Island, *mutatis mutandis*.

V. There may be enrolled as Barristers of the said Court,—

1st. Any person who has been called or is qualified to be called to practise at the English or Irish bar, or as an Advocate in Scotland, or who has taken the degree of Doctor of Laws at any University in the United Kingdom.

2d. Any person who may be instructed within the Colonies of British Columbia or Vancouver's Island in the knowledge and practise of the law by any practising barrister of the said Court, subject to such regulations as may hereafter be by law established within the Colony in relation to persons so to be instructed.

VI. There may be enrolled as Attorneys and Solicitors of the said Court,—

1st. All persons entitled to practise as attorneys, solicitors, or proctors in any of Her Majesty's Courts in England or Ireland, or as writers to the signet or solicitors to the Supreme Courts in Scotland.

2d. All persons who may be instructed within the said Colonies of British Columbia or Vancouver's Island in the knowledge and practise of the law by any practising solicitor and attorney of the said Court, subject, nevertheless, to any regulations which may hereafter be by law established in relation to persons so to be instructed.

And whereas there is at present only one person in Victoria qualified to act as a barrister in a Court of Law in England, and there is no other person resident in either of the said two Colonies qualified to act either as a barrister, attorney, solicitor, or proctor in England or Ireland, or as an advocate, writer to the signet, or solicitor to the Supreme Courts in Scotland, and it would be convenient for suitors, and expedient for the satisfactory administration of justice, that a larger number of persons should be admitted to appear and act as of counsel for litigants and accused persons, and it is expedient to make temporary provision for a supply of such counsel, I do further order as follows, viz.:—

VII. There may be enrolled, on a temporary roll, as attorneys and solicitors of this Court all such persons of good repute, learning, and discretion as are entitled to practise either as a barrister, attorney, or solicitor, 1st, in the Courts of Justice in Guernsey, Jersey, or in any other part of Her Majesty's Dominions not being within the United Kingdom; or 2d, in the Supreme Courts of the United States of North America. But no temporary enrolment under this present order shall continue in force after the 30th of June 1859, unless the same shall in the meantime be extended and continued by further order of this Court. And no person whose name shall be entered on such temporary roll shall by force of such enrolment alone have any privileges whatever subsequently to the said 30th of June 1859.

There shall be paid to the registrar, for every name to be entered on such temporary roll, a fee of 10s.

VIII. Every person desirous to be enrolled under either of the preceding orders shall notify his desire to the registrar or deputy registrar of the said Court, and shall also deposit with such registrar or deputy registrar his name at full length, and his address in either of the said Colonies, and also a statement of his qualification, and shall also make a declaration in the form set forth in the schedule hereto. After approval thereof by the Judge of the said Court, all such names shall be by him entered on the proper roll. Every person to be enrolled, whether as a barrister, attorney, or solicitor, shall, if a British subject, take previously to his enrolment the oath of allegiance to Her Majesty and Her successors. And where any person so enrolled, not being a British subject, shall have resided in Her Majesty's dominions long enough to be naturalized, he shall be bound to become a naturalized British subject, otherwise he shall *ipso facto* cease to be an attorney or solicitor of this Court, and his name shall be erased accordingly. No foreigner shall be entitled to be placed on the temporary roll of attorneys when the foreigners already on the said roll are equal in number to the British subjects for the time being entitled under these orders to appear and act as attorneys.

IX. Except the persons so enrolled no person shall be entitled to appear or address the Court for or on behalf of any party to any legal proceeding, unless he be the father, son, or brother of the party. But nothing in these orders shall prevent parties to any suit or proceeding from appearing or pleading in person.

X. The right of precedence among the enrolled barristers as between themselves, and among the enrolled attorneys and solicitors as between themselves, shall be according to priority of enrolment on each roll. The priority of enrolment on any roll shall, in cases of dispute, be decided by the Judge of the Court. But persons who shall have taken the oath of allegiance shall be entitled to be entered on the roll before all persons who shall not have taken such oath.

XI. All persons on either roll of attorneys shall be subject to the authority of the Court in the same manner as attorneys and solicitors are to the authority of the Superior Courts of Westminster. Any person on either roll of attorneys shall be subject to removal at any time by the direction of his Excellency the Governor for the time being.

XII. Until further order shall be made herein, all barristers of this Court may appear and practise as attorneys and solicitors, and all attorneys and solicitors may practise and plead as barristers.

XIII. Thomas George Williams, Esq., Registrar of the Supreme Court of Civil Justice in Vancouver's Island, is hereby appointed to be Deputy Registrar in Victoria of the said Court of British Columbia.

XIV. Until further orders of this Court, it shall be lawful for the attorneys and solicitors thereof to ask and recover payment of fees and remuneration for all services for which fees and remuneration may be demanded according to the practice of the Superior Courts of Westminster. And all such fees and remuneration may be charged at double the rates allowed in taxation in the Superior Courts of Westminster.

SCHEDULE.

(A.)—Form of Declaration by BARRISTERS.

I, A.B., of _____, do solemnly and sincerely declare that (a) I am a barrister at law (or advocate) duly authorized to practise in the Superior Courts of England (Ireland or Scotland), and that I was called to the bar by the Honourable Society of _____, on the _____ day of _____, and that I am the person named in the certificate now produced. And that I am a British born (or naturalized British) subject, and that I have never changed my allegiance.

(a) Variation where the person has never been actually called:—[I am a member of the Honourable Society of _____, and that I have kept all my terms there, and am entitled to be called to the bar by that Society. And that I am a British, &c.]

BRITISH
COLUMBIA.

(B).—FORM OF DECLARATION by ATTORNEY or SOLICITOR.

I, A.B., of _____, do solemnly and sincerely declare that I am an attorney of Her Majesty's Court of _____ at Westminster (or proctor, or writer to the signet, &c., as the case may be). And that I was duly admitted an attorney of the said Court at Westminster, (&c.) on the _____ day of _____, and that I am the person named in the certificate now produced. And that I am a British born (&c.) subject, (if naturalized, state the date,) and that I have never (or never since) changed my allegiance.

(C).—FORM OF DECLARATION for ATTORNEYS on temporary Roll.

I, A.B., do solemnly and sincerely declare that I am _____, and that I am the person named in the certificate. [Add declaration as to citizenship and qualification.]

MATT. B. BEGBIE, J.

Enclosure 2 in
No. 41.

Enclosure 2 in No. 41.

COPY of a LETTER from the Honourable MATTHEW B. BEGBIE (Judge of British Columbia), dated Victoria, December 29, to Governor DOUGLAS.

SIR,

I HAVE the honour to submit for your information a copy of a General Order of Court which I have just issued, dated 27th inst., in pursuance of the views which I had the honour of submitting to you in a communication of the 15th inst. relating to the admission of barristers and attorneys.

Although I conceive that I am not at all legally bound by the Order in Council of the 4th April 1856, which regulates the admission of barristers and attorneys in the Courts in Vancouver's Island, I still feel bound by the spirit of that order, and bound also to depart as little as possible from the letter of it.

But I find a state of things here which appears never to have been contemplated by the Order in Council, and amounting to a public inconvenience, viz., on the one hand only one person arrived here only a week ago qualified to practise, being a barrister of the Inner Temple, and no other person in either Colony entitled under the Order in Council to perform as counsel for any litigant any act, however important or unimportant; and I find on the other hand several unlicensed, unrecognized practitioners, who avoid all responsibility, and in some instances within my knowledge abuse the forms of justice, without the checks which the supervision of our benches as courts of honour, and our judges as courts of law, exert at home upon barristers and attorneys.

I have, therefore, thought it necessary for public convenience to make a temporary provision to meet these circumstances during the next six months. In that interval the home authorities can be consulted, and I shall of course be anxious to carry out their views.

The Order in Council of 1856 makes no difference in favour of colonial counsel over foreigners, and therefore neither have I in these orders. Yet counsel entitled to practise in Upper Canada might perhaps expect some preference, since, previously to the proclamation of the Act at Langley on the 19th ultimo, they alone were entitled to claim a monopoly in all litigation here; and it would seem invidious to exclude Lower Canadians from any of the privileges of the upper province, and it might be well, with reference to ulterior views of policy, to make no distinction between them.

On the other hand, it is to be observed that in the Courts of Canada no such intercolonial free trade in the privileges of counsel is permitted.

No Australian and it is to be presumed no Columbian counsel would, as such, be entitled to practise in Canada.

A Private Act of Parliament is necessary to enable any other individual than an English or Canadian educated counsel to practise there; nor is such community of privilege usual among other colonies.

And with respect to foreigners, it might on the principles of reciprocity be argued that, since British subjects can almost as of course obtain permission to practise in the United States of North America (I allude particularly to California), citizens of those United States ought to have equal facilities afforded to them here.

I beg leave to refer to my former communication of the 15th inst.,

And to remain, &c.

(Signed) MATTHEW B. BEGBIE.

Enclosure 3 in
No. 41.

Enclosure 3 in No. 41.

COPY of a LETTER from the Honourable MATTHEW B. BEGBIE, Judge of British Columbia, dated Victoria, December 15, 1858, to Governor DOUGLAS.

SIR,

I WISH to place before your notice some observations upon the employment of counsel and attorneys in the Courts of British Columbia.

The Order in Council of 1856, which precludes any person from practising in Vancouver's Island unless entitled to practise in a Court in the United Kingdom, does not apply to British Columbia, where consequently any line of action may be adopted as circumstances may require.

The existing state of circumstances certainly does not appear to have been contemplated by the Order in Council of 1856, viz., that there should up to the present time never have been found a single barrister or attorney qualified to plead in any Court of the United Kingdom.

The result is that the labour and responsibility is in all cases thrown upon the judge or the registrar; 1st, to see that the plaintiff takes out the proper writ or commencement of proceedings, and that it is correct in point of form; 2d, the judge is then called on by the defendant to point out

the most efficacious mode of defence; and 3d, he has to sit in judgment upon the case so brought forward, embarrassed, perhaps, by the insertion of unnecessary matter or the omission of necessary details, with a mind preoccupied, and feelings probably engaged on one side or the other (at all events the suitors are sure to think so). I hope that I am not given to despondence, but I should in such a position despair of giving satisfaction to the suitors. The difficulties of arriving at a just decision are enhanced, but much more enhanced are the difficulties of persuading the unsuccessful suitor that the decision arrived at is just. He cannot help fancying that his arguments might have been more forcibly urged, his facts more skilfully arranged, and both more impartially attended to.

To render a court of justice useful it is more important that the suitors should be satisfied than that substantial justice should be done. Substantial justice might be, and often is, done by a strong despotism; it might and would be, just as often as not, the result if the decision were to be chance. But neither a despotism nor the hazard of dice would be a satisfactory tribunal at the present day.

The absence of counsel, which is merely inconvenient in civil cases, notwithstanding the utmost anxiety of the judge.

In point of fact assistance is now given to suitors *sub rosa* by all sorts of persons, qualified or not, who derive just the same pecuniary advantages from their clients as if they had a recognized status, yet feel discontented at not being able to occupy a recognized position openly. They avoid much of the responsibility which would attach to their conduct if they were enrolled officers of the Court, under the summary control of the judge. They are of less assistance to the Court than they would be if allowed to explain their views orally. And the most incompetent has an easy answer to excuse his failure, viz., that certain points escaped the notice of the judge, which (says the pleader) had I been allowed to address the Court I could easily have made clear.

I do not see how to prevent this unlicensed practice, unless by calling licensed practitioners into existence. The others will then naturally expire; besides that there will be a supervision exercised over them by the recognized list.

It does not appear to me that this question should be argued at all upon the ground of any privileges to be reserved to British subjects. The whole matter has been a good deal ventilated of late years in England, and it is now very well understood that advocates have certain privileges secured to them, not by reason of any merit of birth or money payment, but for the public good, which is considered to be best secured by maintaining a certain highly educated class of men in the exclusive study of the law, to which they would not confine themselves except a certain status and certain privileges were reserved to them. But the argument all along assumes that some order of advocates known to and under the control of the Court is necessary for the public convenience. Now here, there being no English barristers or attorneys, it seems expedient to take the best that can be got, and to secure that they shall be contented, or at least have no reasonable ground of discontent, so that they may be inclined to good order, and under the control of the Court (which at present they are not), so as to induce them to act carefully.

The strictness of the rule here requiring all practitioners to be British subjects is contrasted unfavourably by citizens of France and of the United States of North America with that in their own countries, where no person is refused permission to practise on the sole ground of his being an alien.

And no British subject could complain of hardship here if the rule be relaxed, and on the other hand there is a great hardship at present upon all persons, whether British subjects or not, and whether in or out of the colony, who have litigation to attend to, for they must personally attend to every step, important or unimportant, there being no person whom the judge or the registrar can attend to or recognize as the attorney of any litigant.

I have, therefore, to submit a Draft Order of Court as a temporary measure to regulate the enrolment of aliens as attorneys of the Court, which I have prepared and sent into your Excellency's office.

I have, &c.
(Signed) MATTHEW B. BEGBIE.

No. 42.

No. 42.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 68.)

Victoria, Vancouver's Island, January 8, 1859.

(Received February 28, 1859.)

(Answered, No. 48, April 11, 1859, p. 82.)

SIR,

1. INTELLIGENCE arrived here last night from Mr. Justice Whannell, of Fort Yale, reporting that he had met with serious opposition in the discharge of his official duties, from a party of gamblers and refugees from justice, who have collected about Hill's Bar and Fort Yale.

The particulars of the outrage are detailed in Mr. Justice Whannell's letter, written under great excitement, yet correctly portraying the men we have to deal with.

2. They are reckless desperadoes, requiring the strong arm to curb them. Hitherto they have been very guarded in their conduct, and the present difficulty would not have occurred but for the attempt made to suppress gambling at Fort Yale, in consequence of the atrocious murder which Justice Whannell mentions in his letter as having been lately committed in one of those unhallowed resorts.

3. Mr. Hicks, who is weak rather than corrupt, was removed from office some time ago; and Justice Perrier, who appears to have acted in the arrest of his brother magis-

BRITISH
COLUMBIA.

trate either under the influence of fear or fraud, will also be struck off the list of officers.

4. No time will be lost in dealing with this case. Lieutenant-Governor Moody, who left this place some days ago on a visit to Fort Langley, will, as he states in a letter which I have this hour received from him, at once proceed with a force of 25 Engineers, under Captain Grant's command, to Fort Yale, accompanied by Judge Begbie.

This admirable promptitude on the part of Colonel Moody will be attended with the happiest effects, and I shall immediately despatch a force of 50 Marines and a body of Police, under Mr. Brew's command, to reinforce Colonel Moody's party.

5. The case will be thoroughly investigated, and the decision of the Law Courts will be carried out to the letter.

6. Justice Whannell was not properly supported by the Fort Yale Police, who fell away at the first appearance of danger, a fact showing that we cannot rely on a force raised from the mining population. I therefore would strongly urge that 150 instead of 60 men, as recommended in my Despatch, No. 56, of the 27th of December, of the Irish Constabulary Force, fully armed and equipped, should be shipped without delay for British Columbia.

Four numbers of the "Victoria Gazette" are forwarded herewith for your information. I write in haste to save the mail.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No. 43.

No. 43.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 76.)

Victoria, Vancouver's Island, January 15, 1859.

(Received March 15, 1859.)

(Answered No. 63, May 11, 1859, p. 87.)

Sir,

I BEG you will allow me to solicit your earnest attention to a subject which is of the highest importance to the progress and prosperity of the Colonies of Vancouver's Island and British Columbia.

2. I allude to the necessity which exists for the early construction of lighthouses upon some of the salient points of the approaches to the harbours and anchorages of these Colonies.

3. At the present moment, however, I will only mention two positions which are of the first importance, and which the experience of every succeeding day renders more and more evident should be properly lighted at the earliest possible period.

4. The first of these is the Race rocks, situated in the strait of Fuca, between two and three miles from the mainland of Vancouver's Island, and about twelve miles from the harbour of Esquimalt. These rocks or rocky islets may be viewed as the turning point in the strait for ships bound to Vancouver's Island or to the Gulf of Georgia. They form a most dangerous cluster, and the making them out is not only an object anxiously sought, but it is one of essential help in the determination of position. They are mostly above water, and the largest of them would be found an admirable situation for placing a lighthouse. It has some considerable elevation above high-water mark, and the materials for building can be found in abundance close to the spot. The light at this position should be one of the first order.

5. The next spot upon which I would urge the establishment of a lighthouse is the Figgard rocks at the entrance of Esquimalt Harbour, a harbour whose growing importance can scarcely be over-estimated. It is capacious and secure. Her Majesty's ships always resort to it; the Admiralty and military buildings are also there; and it is the harbour to which all vessels of large size must come, and consequently it must be the great depôt of the ocean traffic. The entrance being narrow, the background composed of high hills exhibiting no remarkable leading marks, and the coast line adjacent being rugged and full of indentations, the harbour of Esquimalt presents no characteristic features to guide the mariner to its tranquil security. During the day the entrance is difficult enough to find to those possessing no previous knowledge of the locality, but at night the difficulties of distinguishing it are so great that the attempt to enter the harbour is never made except by those whose long acquaintance with the coast has rendered them intimately familiar with every peculiarity. The establishment of a light upon Figgard

rocks would at once unmistakeably point out the position of the harbour, and would render access to it or exit from it safe and easy at all times.

6. The navigation of the strait of Fuca, and of the inland waters leading from it, is attended with no small amount of danger without the valuable assistance of lights. The Government of the United States have already acted very promptly and liberally in lighting their portion of the strait. They have placed a light of the first order upon Tatooch Island at the entrance of the strait, and vessels from seaward are now enabled to continue their course up the strait at all times. This light has a range of 20 miles, and if a light of the first order were placed on the Race rocks as I now submit, and a light of an inferior order upon the Fisgard rocks, a vessel running up Fuca Strait would scarcely lose sight of the Tatooch light before she would discern the Race light, after rounding which she would perceive the Fisgard light, and thus be enabled to proceed into Esquimalt Harbour without a check, and by such means valuable time would be saved and considerable risk avoided.

7. The United States Government have also placed lights upon two other points in the strait of Fuca,—Dungeness, near the entrance to Puget Sound, and upon Smith's Island, near to the southern termination of the Rosario Strait. The light at Tatooch Island is undoubtedly of equal advantage to the British possessions in this quarter of the globe as to those of the United States; the other lights are also useful, and I therefore conceive that we are in honour bound to reciprocate the benefit.

8. I am not aware of any funds that may be appropriated for these objects, nor do I know to what department of State I should properly apply for assistance; the infant state of the two colonies precludes the possibility of their being able to help themselves, and the matter being one which it is manifest must materially affect their future development, I trust you will pardon me in bringing it before you, and in earnestly soliciting your aid towards the accomplishment of the desired object.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 44.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

No. 44.

(No. 79.)

Victoria, Vancouver's Island, January 21, 1859.

(Received March 15, 1859.)

(Answered, No. 39, March 24, 1859, p. 82.)

Sir,

1. I HAVE lately received intelligence from Mr. Assistant-Commissioner Travaillot, dated, "Lytton," 19th December 1858, by which it appears that the miners in that district had generally suspended work, in consequence of the coldness of the weather for the preceding twenty days.

2. The rapid transitions in the temperature during that time were remarkable. On the 10th December the thermometer fell to zero, Fahrenheit; a change occurred on the evening of the 13th, when the mercury rose to 48°, and up to the 19th it was ranging from 46° to 52°, and not over half an inch of snow had fallen at "Lytton" or in the neighbouring district south of Frazer's River previously to the 19th December.

3. Frazer's River was set fast with ice at several points, but not continuously, at and near "Lytton," and pack horses had crossed in safety with their loads from side to side upon the ice; but that appears to have been rather a consequence of the quantity of drift ice from the upper part of the river accumulating at those points, than from the degree of cold about "Lytton," the climate of which is pleasant and temperate, the weather being generally clear and dry in so remarkable degree, that from the 21th of August last there had not been, in all, more than 12 hours rain or snow up to the date of Mr. Travaillot's letter (19th December).

4. The few miners remaining in the upper country were well supplied with food by the Harrison's River Road; and since my last report no difficulties whatever had occurred, either with the white or Indian population.

5. Reports continue to arrive respecting the rich deposits of gold in and about Bridgen River; a lump of pure gold, weighing one and a half ounce, was lately found in the deposits of that stream, and the gold generally is coarse and lumpy, not requiring quicksilver for its separation from the soil.

6. It is believed that men are able to make there from five to six dollars a day with the cradle, and that they will clear much larger sums by means of sluices; there will therefore no doubt be a great rush of people to that part of the country in the spring.

BRITISH
COLUMBIA.

7. I have lately received a sample of gold found at "Stonia," a point on Frazer's River, five miles beyond the Hudson's Bay Company's establishment of Alexandria, about 400 miles distant from the seacoast; and it is further supposed, on very probable grounds, that the whole course of the river to its sources in the Rocky Mountains contains deposits of gold. This idea, applied to the tributaries of Frazer's River as well as to the main stream, opens a dazzling prospect to the miner of the most extensive gold region in the world, and will soon fill the country with people when it is made accessible by a system of passable roads.

8. I herewith do myself the honour of forwarding that specimen of gold, together with specimens procured from Bridge River, Thompson's River, Harrison's River, and other parts of the country which have been partially explored.

The Right Hon. Sir E. B. Lytton, Bart.
 &c. &c. &c.

I have, &c.
 (Signed) JAMES DOUGLAS,
 Governor.

No. 45.

No. 45.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 80.)

Victoria, Vancouver's Island, January 22, 1859.
(Received March 15, 1859.)

SIR,

(Answered, No. 36, March 22, 1859, p. 82.)

1. THE mail steamer having just arrived, and being about to leave again almost immediately for San Francisco, I hasten to communicate for your information that letters arrived last night from Lieutenant-Governor Moody, dated Fort Yale, 17th of January, reporting that the difficulties at Fort Yale, 17th, Hill's Bar, were for the present quelled.

2. The Lieutenant-Governor has, nevertheless, ordered the detachment of Marines and Seamen from the "Satellite" and "Plumper" which I informed you had been forwarded by the latter vessel to Fort Langley, to proceed onwards to Fort Hope, whither they have gone in the steamer "Enterprise," to the number of 100 Seamen and Marines, besides the company of Royal Engineers, which accompanied Colonel Moody.

3. The force is, therefore, capable of overwhelming any factious opposition that may be offered to the enforcement of the laws.

4. The state of feeling among the miners generally is of the best description, and their numbers are now so much reduced, that the danger of any insurrectionary movement on their part is not imminent.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Jan. 11, 13, 15,
17, 20, 22.

P.S.—I forward herewith numbers of the "Victoria Gazette," of the dates as per margin.

No. 46.

No. 46.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 90.)

Victoria, Vancouver's Island, February 4, 1859.
(Received March 29, 1859.)

SIR,

(Answered, No. 63, May 11, 1859, p. 87.)

* Page 87.

WITH reference to my Despatch of the 15th ultimo, No. 76,* upon the subject of the erection of lighthouses upon two very important positions off the coast of Vancouver's Island, I have now the honour to submit to you herewith a very complete and valuable report upon the subject, which has kindly been made to me, in accordance with my request, by Captain Richards, of Her Majesty's ship "Plumper," together with tracings of the line of coast, exhibiting the exact positions upon which the lights should be placed.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
 &c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in
No. 46.

Enclosure in No. 46.

Copy of a Letter from Captain GEORGE HENRY RICHARDS, dated H.M. Surveying Ship "Plumper,"
Langley, Fraser's River, January 21, 1859, to Governor DOUGLAS.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, requesting my opinion as to the necessity which exists for erecting lighthouses on the Race Islands and on Fisgard Rocks, at the entrance of Esquimalt Harbour, as also the exact spots on which these lighthouses should be placed.

In my report to you dated in October last, I had the honour to submit these two spots as the most suitable for the purpose, and considering now the rapidly increasing commerce which is flowing into the ports of Vancouver's Island and British Columbia, it appears to me extremely desirable for the safety of navigation that the work should be undertaken with as little delay as possible.

The United States Government have placed an excellent light on Cape Flattery (or Classet), the south entrance point of Fuca Strait, which enables vessels to make and enter the strait at night without difficulty.

The Race Islands are a dangerous cluster of rocks, lying one mile off the S.E. end of Vancouver island, and are 50 miles eastward of Cape Flattery light; in their neighbourhood are strong tides, and frequently heavy dangerous races; all vessels bound to the southern ports of Vancouver's Island or to British Columbia must round these rocks.

In the Strait of Fuca the tides are very irregular, being much influenced by winds in the offing; if a vessel bound for Esquimalt or Victoria overrun her distance, after losing sight of Cape Flattery light, the flood tide, after passing Race Rocks, would set her far eastward of her port, and among the archipelago, which would involve risk and delay; if the ebb should be running and a ship should not know the exact position of the rocks, she would be extremely likely to be driven on to them; after passing the rocks and bound to Esquimalt, the course changes immediately from east to north, the harbour being distant from them about 9 miles. It is obviously important, therefore, that a vessel should know the exact position of them, to enable her at the proper moment to steer for the harbour.

Independent of the trading merchant ships there are even greater interests at stake; to the mail steamer time is of vital importance, to the emigrant ship coming from Australia and other parts of the world, probably unprovided with charts of this coast, and freighted perhaps with hundreds of human beings, an error in position would probably be attended with fatal consequences.

As regards the second site, viz., Fissard Rocks, which form the western entrance of Esquimalt Harbour, a light here would be seen immediately on rounding the Race Rocks, and a vessel would steer with confidence for the harbour, the entrance to which, though clear, is narrow, and very difficult to make out at night, the points being obscured by the high land rising behind.

The best proof of the necessity of a harbour light here is the fact of many experienced masters of mail steamers and merchant vessels, to whom time is a great object, having been obliged to anchor outside in Royal Roads at night, although they had frequently entered the harbour by day, and it has happened that vessels which would otherwise have called at Esquimalt have passed to the United States ports because they could not enter after dark.

With reference to the exact spots on which to place the lighthouses, I beg to enclose a tracing of the Race Islands, on which the spot is marked, and would observe that should it be desirable to construct the building of stone, there is abundance to be procured on the island, with little labour, that the site is an excellent one in all respects, and that communication could be kept up with the main land, distant one mile, probably five days out of seven, and more frequently during the summer season.

The United States light on New Dungeness spit, 18 miles from Race Islands and on the opposite side of the Strait de Fuca, is fixed, white, and of the 3rd order of Fresnel, that on Smith or Blunt Island, almost due east, and 29 miles from the Race Islands, is fixed, varied by flashes of 30 seconds' duration, and of the 4th order.

I would recommend that the light on the Race Rocks should be a fixed white light of the 2nd order, and that the lanthorn should be at least 80 feet above the sea level, the height of the rock being 25 feet.

On the tracing* of the entrance to Esquimalt harbour, Fissard Rocks are shown, this should be a light of the 5th order, shaded, red and white, the arc of the horizon, which should be shaded red, as a guide to clear the Scrogg's Rocks, is shown on the tracing.

I also enclose a tracing* of the coast on a smaller scale from westward of the Race Rocks to Discovery Island, a glance at which will, I think, prove the necessity of the lights, and the eligibility of the sites.

* See these tracings at p. 14.

I have, &c.
(Signed) GEO. HENRY RICHARDS,
Captain.

No. 47.

No. 47.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 92.)

Victoria, Vancouver's Island, February 4, 1859.

(Received March 29, 1859.)

SIR,

1. I HAVE the honour of transmitting herewith for your information a report from the Lieutenant-Governor, dated the 28th of January 1859, recommending as a site for the seat of Government in British Columbia a position about 10 miles below the new town of Langley, on the north bank of Fraser's River.

2. The Lieutenant-Governor has entered fully into the consideration of the military features of the position, which he considers to be of rare strength and value, and also that apart from those advantages, the actual spot itself is well adapted for a city of magnitude, in consequence of there being deep water close along an extended line of shore for the anchorage of sea-going vessels of any burden, an abundant supply of water for household purposes, and good drainage.

BRITISH
COLUMBIA.

3. The views which the Lieutenant-Governor has so ably developed generally coincide with my own impressions on the subject, and I am satisfied of the soundness of his conclusions; I have therefore authorized the immediate survey and subdivision of the site recommended in his report into building lots of the ordinary dimensions for sale, and the work will be commenced with all convenient dispatch.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Enclosure in
No. 47.

Enclosure in No. 47.

COPY of a Letter from his Honour Lieutenant-Governor Moody, dated H.M.S. "Plumper," off Vancouver's Island, January 28, 1859.

SIR,

AFTER a very careful study of the question, I have now the honour to submit to your consideration that the site which appears to be best adapted for the capital of British Columbia is about 10 miles below the new town of Langley, and on the north bank of the Fraser.

I am under the impression it is the same or nearly the same site to which you did me the honour to direct my attention as the proper position for the port of entry.

It is the first high ground on the north side after entering the river, and is about 20 miles above the Sand Heads.

There is abundance of room and convenience for every description of requisite in a seaport and the capital of a great country. There are great facilities for communication by water, as well as by future great trunk railways into the interior.

There is good land for garden ground, if one may judge by the forest and rich meadow lands surround it. It is raised above the periodical floods, and yet the low lands (which will be most coveted as commercial sites, docks, quays, &c.) are close adjoining and easily made available.

From the advantageous circumstances of the locality, it is easily rendered unapproachable to an enemy.

As a military position it is rare to find one so singularly strong by nature, in connexion with its adaptation as the capital of a country.

Immediately in front is the broad navigable river; on the opposite bank is a line of rising ground covering the whole front. This rising ground falls towards the frontier, and all along that base is swampy land, easily inundated.

Upon this rising ground could be placed a great intrenched camp, with a series of open earthen works entirely protecting the city at a distance, ensuring perfect safety from any injury whatever to the city itself.

On the right flank of the position the city would be protected by two deep channels, in addition to the river itself, and also by widely-extended marshes, which, when dyked (as they will be by the farmers), could be easily inundated.

The left flank is protected, at a distance of four miles, by the Fraser, and also by the deep broad river Pitt; but in addition to these two serious obstacles to an enemy is a commanding hill, having the Pitt River close in front; on this hill could be placed a strong work or works, entirely covering the left flank.

At the rear of the position, and distant five miles, is Burrard's Inlet, any access to which would be rendered most hazardous, by placing a work on the island which extends across it. There is also on that side a range of high ground, from east to west, on which could be placed earthen works and intrenched camp, preventing any advance.

The short military defences of the least costly description, and defended by militia forces, could be quickly formed (and from time to time increased to any extent), when a necessity arose for them, and which would render the site almost unassailable. Considering how near the embouchure of the great valley of the Fraser is to the frontier, from ten to fifteen miles, these considerations are of incalculable weight.

It is also to be considered that precisely as the occupation of this part of the Fraser is occupied in force by us (as it would necessarily be, if a capital in a strong position be placed there), so could we the better hold possession of the whole country, and compel an enemy's front to retire.

This practically, in time of war, would be to cause the frontier to recede further south, and enable us with comparative ease to take the offensive. I would further submit that, in any war with our neighbours, our best, I may say our only chance of success in this country (owing to the geographical distribution of its component parts, and the physical formation of the whole,) would be an immediate offensive advance. I am so strongly impressed with these views as to venture (but, believe me, with the utmost deference) to press on your consideration that, should it be determined not to occupy this site in the manner suggested, concentrating there, as early as possible, a condensation of political, military, and commercial interests, growing and increasing in force in all time to come, it would seriously peril, if not lose, to Great Britain the possession of the mainland.

These views, I apprehend, coincide generally with your own, but it is possible they may not have struck you so forcibly as they may now that I have sketched out the military value of the site.

In reference to the adaptation of the actual spot itself for a city of magnitude, I might add to what I have already stated in general terms, that there is deep water close along an extended line of shore: sea-going vessels of any burden can moor close to the bank, plenty of water for supply of household purposes, and good drainage. I would wish that the upper level had not been quite so high, as hereafter it may cause some expense in improving the gradients of a few of the streets.

The main streets for business, however, and all that may be occupied for some time to come, will be satisfactory. I might also add that any leading railway communications from the interior would pass down on the north side of the river. Politically and commercially this would be necessary.

This report would not be complete unless I added that the site of Langley is open to the gravest objections as to the site of a capital, or even a town of importance. It is sufficient to say it is on the frontier side of the river, and no amount of expenditure and skill could effectually rectify the strong military objection to its position.

BRITISH
COLUMBIA.

I have, &c.
(Signed) R. C. MOODY,
Colonel commanding and Lieut.-Governor.

No. 48.

No. 48.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 93.)

Victoria, Vancouver's Island, February 5, 1859.

(Received March 29, 1859.)

SIR,

(Answered No. 61, May 5, 1859, page 86.)

* Page 59.

WITH reference to my Despatch, No. 92,* of the 4th instant, upon the subject of the site chosen for the seat of government of British Columbia, I have the honour to state to you that deeply appreciating the kind and gratifying interest which Her most Gracious Majesty has been pleased to manifest towards the development and prosperity of the Colony of British Columbia, we are earnestly desirous that Her Majesty should vouchsafe one further proof of Her continued regard by signifying Her will as to the name to be given to the future capital.

2. Her own royal name having already been bestowed upon the seat of government of Vancouver's Island cannot also be assigned to that of British Columbia, but until Her Majesty's commands can be communicated, it has been determined, for the necessary sake of convenience, to distinguish the town by the name of "Queensborough;" and it would be received and esteemed as an especial mark of royal favour were Her Majesty to name the capital of British Columbia, either, indirectly, after Her royal self, or, directly, after His Royal Highness the Prince Consort, His Royal Highness the Prince of Wales, or some member of the Royal Family, so that the colonists of British Columbia, separated from friends and kindred in this their far distant home, may be ever gratefully reminded in the designation of their capital of the power that protects their hearths, of the watchful interest that guards their liberties, and of the gentle sway by which they are governed.

I have, &c.
The Right. Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 49.

No. 49.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 95.)

Victoria, Vancouver's Island, February 7, 1859.

(Received March 29, 1859.)

SIR,

(Answered, No. 50, April 12, 1859, p. 85.)

THERE remains nothing of much importance to communicate by the present mail respecting the state of British Columbia, as I have already mentioned to you the return of the Lieutenant-Governor to this place, and the result of the expedition to Fort Yale.

2. I have not yet received a return of the expenditure incurred for the conveyance of the troops and the transport of the stores for the use of the expeditionary force employed on that occasion; but I understand that the outlay has been considerable, caused in a great measure by the high rates paid to the river steam-boats for passengers and transport, a species of imposition to which the Government will inevitably be exposed on all occasions whenever troops or stores are moved, as may be often necessary, from place to place in the Colony, until such service can be performed without the intervention of steam-boat owners.

3. To limit and fix by enactment the rates chargeable on stores and passages for public account on Fraser's River would be an impolitic and perhaps oppressive interference with private rights. I have therefore to propose another measure, which will be equally effective in protecting the public interests, while it will probably also be less repugnant to public feeling, and more compatible with the true dignity of Her Majesty's Government.

BRITISH
COLUMBIA.

4. That measure would be either to purchase or build in this country a strong powerful river steamer for the public service of British Columbia.

5. The first cost of a boat adapted in all respects for that service would not exceed the sum of 10,000*l.* sterling. Her current expenses for maintenance would be inconsiderable, as beyond a very small regular crew, to keep her in perfect order, she might be manned on occasions of emergency from any of Her Majesty's ships in port.

6. A boat of that class, well manned and armed with two serviceable guns, would perform all the public transport, protect the revenue, and command every mining bar in Frazer's River below Fort Yale, and to Port Douglas on the Harrison's River. She would thus become an invaluable instrument, if necessary, for reducing the refractory to obedience, and restoring the authority of the law.

7. The importance of having means at our disposal for the rapid conveyance of troops on Frazer's River has been long apparent, and I was restrained from providing such means only by the fear of being plunged into financial difficulties.

8. I am of opinion that our attention should be immediately directed to that object, and providing the measure meets with the approval of my Executive Council, we shall probably undertake without delay the construction of a vessel for the navigation of Frazer's River such as I have described, trusting to defray the cost of her construction out of the revenues of British Columbia, and should they prove insufficient to meet that and other public expenditures, that Her Majesty's Government will in such case protect any bills we may be compelled to draw on the Lords Commissioners of the Treasury, in order to cover any temporary deficit so caused.

• Page 36.

9. Before closing this subject, I beg further to observe that the river steam-boat herein referred to is not intended to supersede the demand made in my Despatch, No. 37,* of the 27th November last for two gun-boats of light draught, which are intended more especially for coast service, and are probably from their build and small steam power not adapted for river work.

10. Advices have been received from Fort Yale up to the 26th of January.

11. Mr. Commissioner Brew reports that he had succeeded in collecting the miners' licence tax on Hill's Bar, amounting to 292½ dollars, and that 150 dollars for a licensed house was to be paid a few days afterwards, and the collection of the miners' licence was to be further continued on the other mining bars.

12. Mr. Brew suggests a reduction of the mining tax to a quarterly payment of 25*s.* by every miner, instead of the present monthly tax of 21*s.* on each claim holder, and other modifications of the mining regulations, which will have due consideration.

13. It also appears that the trading licences at Fort Yale, with two exceptions, had all been paid for the previous month.

14. Mr. Brew also reports that the migration of miners to the interior country beyond Fort Yale had commenced on an extensive scale, several crowded boats from below having passed on the 25th, and on the previous day a great number of men had started from Fort Yale by land and in boats for the Fountain, for Bridge River, and for the Canoe country. Mr. Brew is of opinion that 5,000 miners will soon be collected in those districts and, recommends the appointment of an assistant gold commissioner to be stationed at the Fountain.

15. Mr. Brew's report contains nothing further of importance.

16. The numbers of the "Victoria Gazette," as per margin, are forwarded for your information.

The Rt. Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 50.

No. 50.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 96.)

Victoria, Vancouver's Island, Feb. 9, 1859.

(Received March 29, 1859.)

(Answered, No. 51, April 12, 1859, page 85.)

Sir,

Enclosure.

I BEG to submit to you herewith the copy of a paper I have received from the Chief Commissioner of Lands and Works in British Columbia, containing some notes made by him upon various subjects connected with his department, and the employment of the detachment of Royal Engineers to carry out the duties of that department.

2. I forward this document to you as I deem it may be of interest, and it will serve to convey to you the exact position in which we are placed with regard to the surveying

and other important operations which it is so desirable should be prosecuted with the utmost vigour to expedite the development of the country, so that the advantages which must result therefrom may be reaped at the earliest period practicable.

3. I would desire to request your attention to the following points, which are brought to my notice by Colonel Moody.

4. He states that the surveying party of his detachment, drawn from the Ordnance Survey Department in England, and specially spared for the service, though few in number, would, with the addition of a first-rate draughtsman, be very complete, and would be valuable for laying out towns, and in surveying lines of communication throughout the country, determining trigonometrical points for the general survey, and more particularly for checking the accuracy of civil surveyors whom it will be necessary to employ to lay out the rural allotments, for the survey party are too few in number to execute this last description of work, and indeed their peculiar training for more scientific and careful work would be thrown away were they employed on such duty. The remainder of the detachment are principally artificers, and will be found a most useful body of men in executing the public works of the Colony, although from the necessarily numerous pressing requirements of a new Colony in this particular, this body is too small to meet all demands, and much must consequently be done by contract in civil labour.

5. Colonel Moody represents the necessity which exists for the services of a clerk of the works, and submits that Sir John Burgoyne should be solicited to select and to send out such a person. I beg to add my own approval of this proposition, and I trust you may see fit to adopt it.

6. Colonel Moody also requests that he may be furnished with the services of a gentleman to act as an accountant and to take charge of the correspondence of the department. To prevent confusion, and to check and regulate expenditure by a lucid and well kept up system of accounts, are matters of the highest importance to the department in particular and to the Colony in general. I have, therefore, acceded to Colonel Moody's request, and have nominated Mr. John Miles for the office in question. Mr. Miles is the gentleman referred to in your Despatch of the 25th October 1858, No. 33, upon the subject of the grant of a certain gold quartz vein in British Columbia; he is well fitted by previous training for an appointment of the nature described, and he is on the spot desirous of obtaining Government employment.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 50.

Enclosure in
No. 50.

NOTES on the DEPARTMENTS of LANDS and WORKS, by Colonel MOODY, Lieutenant-Governor.

January 31, 1859.

THE detachment of royal engineers sent to British Columbia by the War Department, at the request of the Secretary of State for the Colonies, is composed of officers and men of different qualifications and experiences, capable of undertaking the varied services needed in the formation of a colony. Among them are a few men forming a survey party; some adapted for field work; some for the office, as draughtsmen in a rough way, plotters, and computers; others as observers, and for registering meteorological observations. If I had a first-rate draughtsman it would be a complete little party. This small party will be chiefly valuable in laying out all the towns, surveying lines of communication throughout the country, determining trigonometrical points for the general survey, and more particularly for checking the accuracy of civil surveyors, working by contract, in laying out the rural allotments.

The survey party of royal engineers are too few in number to execute the surveys for the allotments of lands (except towns), and their peculiar training for more scientific and careful work, under the guidance of officers, would be thrown away.

These men were drawn from the Ordnance Survey Department in England, and no more could be spared; the remainder of the detachment know nothing of surveying, and are composed of various useful trades, carpenters, masons, bricklayers, smiths, &c. The proportions of these trade qualifications in the party were carefully made in England, so that the whole would form a useful body in executing public works in the Colony, from buildings of any class (wood, stone, brick, or iron, large or small, rough or temporary, or architectural and finished) to quays, jetties, roads, bridges, culverts, wells, channels for water supplies, &c. &c. I believe that as artificers they will be found not only excellent workmen, turning out nothing slovenly or that cannot be depended upon, but considerably the most economical, especially at the rates of labour in the Colony. This latter point will always be a grave consideration.

The wants of the Colony in public works are, however, so numerous, and all pressing, that the detachment is too few in number to meet the requirements. A very great deal will necessarily have to be done by contract in civil labour; the services to be executed in the one and in the other mode will have to depend upon circumstances as they arise; for instance, in localities offering high premiums to

BRITISH
COLUMBIA.

desertion, as would be the case in mining districts, or great laxity of discipline, it would be objectionable to employ the soldiers, and wherever employed, it should be as far as practicable in bodies under the immediate control of an officer.

In addition to the above, it will be necessary to employ a clerk of works and possibly two foremen. The clerk to be a person of intelligence and of tried integrity, such as could be and would be selected for us by the Inspector-General of Fortifications from among the clerks of works in England, as he did for the Australian Colonies at Melbourne. Such a man would be especially valuable in superintending contract work in the mining districts and in advising me on the qualities of materials. He would always be a useful man in the Colony hereafter, if its prosperity offered a sufficient inducement to him to remain when the royal engineers were withdrawn.

Of the officers of the detachment, the senior one, Captain Grant, was particularly selected, among other excellent points, for his qualifications in superintending works of construction. The second, Captain Parsons, was selected for his high qualifications in surveying, from the most scientific branches (astronomical observations and geodesic operations) to the ordinary works in detail. The third, Captain Luard, to take charge more particularly of the military details (to which could be attached militia hereafter), in fact, somewhat as a brigade major under my general orders. Of the two subalterns, Lieutenants Lempriere and Palmer, one will be attached to Captain Grant and the other to Captain Parsons.

To complete the department, there should be attached to it a gentleman well qualified in accounts and framing letters from minutes; for this duty I hope it may be still in your power to nominate Mr. Miles.

The above are general principles, into the details of which I propose entering on a subsequent paper.

(Signed) R. C. MOODY.

No. 51.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 104.)

Victoria, Vancouver's Island, February 19, 1859.

(Received April 11, 1859.)

(Answered, No. 62, May 7, 1859, p. 86.)

SIR,

Enclosure.

I HAVE the honour of forwarding herewith for your information copy of a Proclamation, issued on the 14th day of this present month, declaring the price and manner under which land in British Columbia are to be offered for sale.

2. The Proclamation sets forth the constitutional rights of the Crown to all the lands in British Columbia, and to the mines and minerals therein.

3. Lands are to be offered for sale in the following classes, viz., town lands, general country lands, and lands for special settlement. All known mineral lands, and lands reputed to contain minerals, will for the present be reserved.

4. It is also our intention to make large reserves for roads, the erection of places of worship, schools, and public purposes, and also for towns and villages, in such a manner, however, as not seriously to interfere with or retard the progressive improvement and settlement of the country.

5. As a general rule no land is to be offered for sale without having been first surveyed and mapped off under Government authority.

6. Town lands are to be sold by public auction at an upset price to be hereafter fixed, according to the value of the site.

7. Country lands are also to be sold by public auction, at the upset price of ten shillings an acre; the purchase money to be paid one-half at the time of sale, and the remainder at the end of two years.

8. We considered it advisable for many reasons to fix the upset sale price of country lands in British Columbia at a comparatively low standard. In the first place, we think it a matter of the greatest importance to encourage emigration from England, in order to supply the want now so much felt of an English element in the population, a want which, in fact, lies at the root of all the difficulties which now so much embarrass all attempts at legislation for the country. We are, therefore, especially desirous of placing before the English public the attraction of cheap land; at the same time we feel assured that the interests of Government will not suffer through that cause, as from the manner of sale and the effect of competition the land, if worth more, will fetch its value.

9. We also feared that by adopting a higher price for land, the sturdy yeomen expected this year from Canada, Australia, and other British Colonies might be driven in hundreds across the frontier to seek for homes in the United States territories, where it is the custom to make free grants of land.

10. Coupled with the attractions of a low upset price to actual settlers, we think the system will guard the land operations of the Colony, as much as in the nature of things is practicable, from the designs of speculators who make purchases of land not for actual settlement but merely for profitable resale.

11. The land for special settlement is that bordering the frontier of the United States, and on this we propose to make a military reserve on behalf of the royal engineers, and if possible also otherwise to settle it with a population composed exclusively of English subjects.

12. The Chief Commissioner of Lands and Works is, in Article 5, empowered to sell by private contract at the upset price any land remaining unsold, after having been exposed at auction to public competition.

13. The Proclamation further declares the intention of Government to lay out and settle the site of the capital or seaport town of British Columbia, and the conditions of sale for town land there, and also that all persons who have paid for town lots at Langley will be allowed, upon the surrender of such lots, to have their money transferred, either as a whole or part payment for lots in the new town, the object being to meet the wishes of the people, and to concentrate the commercial interests of the Colony in the capital.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in No. 51.

Enclosure in
No. 51.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath,
Governor and Commander-in-Chief of British Columbia.

WHEREAS it is expedient to publish for general information the method to be pursued with respect to the alienation and possession of agricultural lands and of lands proposed for the sites of towns in British Columbia, and with reference also to the places for levying shipping and customs duties, and for establishing a capital and port of entry in the said Colony:

Now, therefore, I, James Douglas, Governor of the said Colony, do proclaim and declare as follows, viz.:—

1. All the lands in British Columbia, and all the mines and minerals therein belong to the Crown in fee.

2. The price of lands not being intended for the sites of towns, and not being reputed to be mineral lands, shall be ten shillings per acre, payable one-half in cash at the time of the sale, and the other half at the end of two years from such sale. Provided that under special circumstances some other price or some other terms of payment may from time to time be specially announced for particular localities.

3. It shall also be competent to the Executive at any time to reserve such portions of the unoccupied Crown lands, and for such purposes, as the Executive shall deem advisable.

4. Except as aforesaid, all the land in British Columbia will be exposed in lots for sale, by public competition, at the upset price above mentioned, as soon as the same shall have been surveyed and made ready for sale. Due notice will be given of all such sales. Notice at the same time will be given of the upset price and terms of payment when they vary from those above stated, and also of the rights reserved (if any) for public convenience.

5. All lands which shall remain unsold at any such auction may be sold by private contract at the upset price, and on the terms and conditions herein mentioned, on application to the Chief Commissioner of Lands and Works.

6. Unless otherwise specially notified at the time of sale, all such sales of Crown land shall be subject to such public rights of way as may at any time after such sale, and to such private rights of way, and of leading or using water for animals, and for mining and engineering purposes, as may at the time of such sale be specified by the Chief Commissioners of Lands and Works.

7. Unless otherwise specially announced at the time of sale, the conveyance of the land shall include all trees and all mines and minerals within and under the same, except mines of gold and silver.

8. When any "Ditch Privilege" shall be granted, there shall be included (unless excluded by express words) the right to lop, dress, or fell any trees standing on unoccupied Crown lands, which in the opinion of the proprietors of the ditch might, by their accidental fall or otherwise, endanger the safety of the ditch or any part thereof.

GOLD CLAIMS.

9. Until further notice, gold claims and mines shall continue to be worked subject to the existing regulations.

CAPITAL OF BRITISH COLUMBIA.

10. It is intended with all dispatch to lay out and settle the site of a city, to be the capital of British Columbia, on the right or north bank of Fraser River.

11. Plans of the city are intended to be prepared and published in the month of March next, three-fourths of the whole number of lots (excluding the public reserves) will be submitted in lots to public competition, by auction, in the month of April. One-fourth of the whole number of lots, excluding the public reserves, will be reserved in blocks for purchasers in the United Kingdom, Her

BRITISH
COLUMBIA.

Majesty's Colonies in North America and elsewhere—all of such last-mentioned lots which may not be disposed of in the United Kingdom, or Her Majesty's Colonies, other than British Columbia, will be submitted to public competition in this Colony, of which due notice will be given.

12. As the Government is desirous of concentrating the commercial interests of the Colony in and around the capital, the purchasers of town lots in the said proposed capital who may be owners of town lots in Langley, under the late sale on the 25th November last, on which the whole amount of purchase money has been paid to the Government, will, if so disposed, be allowed to surrender the lots in Langley so purchased, and to have the price so paid to the Government allowed them as payment in full for a lot or lots purchased by them in the said proposed capital of an equal or less price in the aggregate, and as payment in part for lots in the said proposed capital of a greater price in the aggregate. Every such surrender must be executed and delivered in writing, addressed to the Chief Commissioner of Lands and Works in British Columbia, at Victoria, Vancouver's Island, one week at least previous to the day appointed for the intended sale.

13. The proposed capital will be declared to be a port of entry so soon as the necessary arrangements shall have been provided, which will be done with all convenient dispatch. Custom-house officers will then be stationed there, and vessels will be able to proceed direct to Fraser River without touching at Victoria, or may clear at Victoria, at their option.

14. The whole of the river frontage will be laid out in a continuous road, the edge of which it is contemplated ultimately to convert into a public quay. No quay will, however, be at present constructed at the public expense, nor will the absolute property of the soil along the edge of the water be now alienated by the Crown. But the right to make and maintain quays of convenient sizes, and to demand certain tolls and rates for the use thereof, will be granted to private individuals for the space of seven years; such rights will be disposed of at public auction, at or immediately after the sale of town lots, to the bidder of the highest annual rent. No restrictions will be placed on the lessee as to the form or nature of the quays, except such as shall be necessary to protect the public safety and convenience.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this Fourteenth day of February One thousand eight hundred and fifty-nine, in the Twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By his Excellency's command,
WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No. 52.

No. 52.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 111.)

Victoria, Vancouver's Island, March 10, 1859.

(Received May 2, 1859.)

Sir,

* Page 61.

My report, No. 95,* of the 7th ultimo on the state of British Columbia contains advices from Fort Yale to the end of January; the intelligence since that date is satisfactory in all respects, except the weather, which has been severely cold and trying to the miner, whose operations have been in consequence nearly altogether suspended for the last two months.

Mr. Commissioner Brew has, owing to the same cause, also been unable to collect the mining licence fees for that time, a circumstance which, for obvious reasons, I much regret.

2. It appears from late reports that the miners on "Hill's" and "Emery's" Bars have abandoned the beach workings, and transferred their labours to the banks or elevated table land reaching from the river to the mountains. Those banks are of great extent, varying from a few hundred yards to two miles in breadth; and should they prove, as expected, more remunerative than the river beds, they will offer a wide field for mining enterprise.

3. Water for washing the auriferous soil is at present the chief want; it must be brought from the mountains by means of artificial canals, and in consequence of the encouragement given on the part of Government, many persons are now engaged at their own private expense in the construction of such works.

4. Those enterprises will materially aid in the development of the gold fields and other industrial resources of British Columbia. The miners, to their praise be it said, are full of ardour, grasping eagerly at every opening for the profitable employment of their labour or capital, and require no urging beyond the protection and regulating care of Government.

5. Those elevated table lands were, until lately, covered with deep snow, and therefore inaccessible to mining operations, but will soon, I trust, become the cheerful scene of successful and wide-spread industry.

6. I may here state as a valuable fact, corroborating what has been before stated in my Despatches concerning the general productiveness of the gold fields in British Columbia, that a company of eight men holding a gold claim on Hill's Bar, worked by a sluice, took out the enormous return of 110 ounces of gold in one week; and this, I am informed, is not an isolated case of successful mining, many other claims having proved equally productive; but I particularize this instance in consequence of there being no doubt as to the fact.

7. I will add to the preceding another corroborative fact in support of the same conclusion, supplied by the following statement received yesterday from Mr. Latham, their agent, of the quantity of gold dust shipped to San Francisco and received on special deposit by the house of Wells, Fargo, and Co. of this place, from June last to the present time :—

Shipped to San Francisco	-	525,000	dollars value of, in gold dust.
Received on special deposit	-	97,000	" " "
Dollars	-	622,000	

which, valued at the current price of gold, $15\frac{1}{2}$ dollars an ounce, gives 40,029 ounces nearly as the quantity of gold dust that has passed through their hands for the period mentioned. This statement, compared with the quantities given in my Despatch No. 40*, of the 30th November last, as the export of Messrs. Wells, Fargo, and Co. up to that date, shows an export of gold by that house since that statement was prepared, to the extent of 23,436 ounces of gold.

* Page 39.

8. The most favourable reports continue to arrive from Bridge River and from the bank diggings of Fraser's River, between Lytton and the Fountain. Many private companies are engaged in bringing in water from the mountains for sluicing the elevated table land in that district, and though the mining season has not, properly speaking, yet commenced, the miners appear to have unbounded confidence in the resources of the country, and are gradually moving towards the upper district. The weather being now fine, and the country accessible, the tide of immigration will soon be setting towards Fraser's River.

9. The report of a Mr. Lindhart, a person residing at Fort Douglas, speaks favourably of the banks of Harrison's River, situated between the lake of that name and Lillooet Lake, as a productive gold field.

10. He states that a company of French miners are sluice-washing when the weather permits on the Harrison River, ten miles beyond Port Douglas, and are making from 28s. to 40s. a day to the man.

One mile further up and on the opposite side of the river, three miners, hand-washing with cradles, are making from 10s. to 20s. a day.

11. The same Mr. Lindhart also states, as a generally received opinion of the miners about Port Douglas, that there is an extensive gold field on the 35-mile table land which separates the Lillooet from Anderson's Lake, and in proof thereof he has forwarded several specimens of the gold procured at those places respectively.

12. Mr. Commissioner Brew further reports, that the country is in a state of perfect tranquillity, that gold is being brought down Fraser's River in "large quantities," and that the gold brought down is "coarse grain and scale gold," which may be collected at any temperature.

13. It also appears from Mr. Brew's communication, that it is difficult in very cold weather to collect the fine or dust gold by amalgamation, as the quicksilver will not take up the gold when below a certain temperature.

14. Mr. Brew further confirms the general belief in the rich auriferous deposits of British Columbia and of the river bars above "Lytton," which, he remarks, are said to be "rich beyond anything that was ever known."

15. It does not, however, appear from Mr. Brew's report, that he has made any further collection of revenue, a subject on which I therefore cannot give you the information I would desire.

16. I may nevertheless remark, that we have hitherto paid all the expenses of Government out of colonial funds, and we shall endeavour by the careful and frugal application of the Public Revenue to indispensable objects only, to tax the Imperial Treasury to as small an extent as in the circumstances of the Colony may be possible.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 114.)

Victoria, Vancouver's Island, March 14, 1859.

(Received May 10, 1859.)

SIR,

* Page 76.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 62,* of the 30th December last, containing many valuable observations on the policy to be observed towards the Indian tribes of British Columbia, and moreover your instructions, directing me to inform you if I think it would be feasible to settle those tribes permanently in villages; suggesting in reference to that measure, that with such settlement, civilization would at once begin; that law and religion would become naturally introduced among them, and contribute to their security against the aggressions of immigrants; that through indirect taxation, on the additional articles they would purchase, they would contribute to the Colonial Revenue, and with their own consent, some light and simple form of taxation might be imposed, the proceeds of which would be expended strictly and solely on their own wants and improvement.

2. I have much pleasure in adding, with unhesitating confidence, that I conceive the proposed plan to be at once feasible, and also the only plan which promises to result in the moral elevation of the native Indian races, in rescuing them from degradation, and protecting them from oppression and rapid decay.

It will, at the same time, have the effect of saving the Colony from the numberless evils which naturally follow in the train of every course of national injustice, and from having the native Indian tribes arrayed in vindictive warfare against the white settlements.

3. As friends and allies the native races are capable of rendering the most valuable assistance to the Colony, while their enmity would entail on the settlers a greater amount of wretchedness and physical suffering, and more seriously retard the growth and material development of the Colony, than any other calamity to which, in the ordinary course of events, it would be exposed.

4. In my Despatch, No. 4, of the 9th of February last, on the affairs of Vancouver's Island, transmitting my correspondence with the House of Assembly up to that date, there is a message made to the House on the 5th of February 1859, respecting the course I proposed to adopt in the disposal and management of the land reserved for the benefit of the Indian population at this place, the plan proposed being briefly thus:—that the Indians should be established on that reserve, and the remaining unoccupied land should be let out on leases at an annual rent to the highest bidder, and that the whole proceeds arising from such leases should be applied to the exclusive benefit of the Indians.

5. The advantages of that arrangement are obvious. An amount of capital would thereby be created, equal perhaps to the sum required for effecting the settlement of the Indians; and any surplus funds remaining over that outlay, it is proposed to devote to the formation and support of schools, and of a clergyman to superintend their moral and religious training.

6. I feel much confidence in the operation of this simple and practical scheme, and provided we succeed in devising means of rendering the Indian as comfortable and independent in regard to physical wants in his improved condition, as he was when a wandering denizen of the forest, there can be little doubt of the ultimate success of the experiment.

7. The support of the Indians will thus, wherever land is valuable, be a matter of easy accomplishment, and in districts where the white population is small, and the land unproductive, the Indians may be left almost wholly to their own resources, and, as a joint means of earning their livelihood, to pursue unmolested their favorite calling of fishermen and hunters.

8. Anticipatory reserves of land for the benefit and support of the Indian races will be made for that purpose in all the districts of British Columbia inhabited by native tribes. Those reserves should in all cases include their cultivated fields and village sites, for which from habit and association they invariably conceive a strong attachment, and prize more, for that reason, than for the extent or value of the land.

9. In forming settlements of natives, I should propose, both from a principle of justice to the State and out of regard to the well-being of the Indians themselves, to make such settlements entirely self-supporting, trusting for the means of doing so, to the voluntary contributions in labour or money of the natives themselves; and secondly, to the proceeds of the sale or lease of a part of the land reserved, which might be so disposed of, and applied towards the liquidation of the preliminary expenses of the settlement.

10. The plan followed by the Government of the United States, in making Indian settlements, appears in many respects objectionable; they are supported at an enormous expense by Congress, which for the fiscal year ending June 30, 1856, granted the sum of \$58,000 dollars for the support and maintenance of the Indians of California alone, and for the four years ending with the 30th June 1858, the total expenditure for that object came to the large sum of 1,104,000 dollars, and notwithstanding the heavy outlay, the Indians in those settlements are rapidly degenerating; neither would I recommend the system pursued by the founders of the Spanish missions in California.

Their objects, though to a certain extent mercenary, were mainly of a benevolent kind; the Indians were educated and trained in the Roman Catholic faith; they were well fed and clothed, and they were taught to labour; but being kept in a state of pupillage, and not allowed to acquire property of their own, nor taught to think and act for themselves, the feeling and pride of independence were effectually destroyed; and not having been trained to habits of self-government and self-reliance, they were found, when freed from control, altogether incapable of contributing to their own support, and really were more helpless and degraded than the untutored savages.

11. With such beacons to guide our steps, and profiting by the lessons of experience so acquired, we may perhaps succeed in escaping the manifest evils of both systems; the great expense and the debasing influences of the American system, by making the Indians independent and the settlements self-supporting; and to avoid the rock on which were wrecked the hopes of the Spanish missions, I think it would be advisable studiously to cultivate the pride of independence, so ennobling in its effects, and which the savage largely possesses from nature and early training.

12. I would, for example, propose that every family should have a distinct portion of the reserved land assigned for their use, and to be cultivated by their own labour, giving them however, for the present, no power to sell or otherwise alienate the land; that they should be taught to regard that land as their inheritance; that the desire should be encouraged and fostered in their minds of adding to their possessions, and devoting their earnings to the purchase of property apart from the reserve, which would be left entirely at their own disposal and control; that they should in all respects be treated as rational beings, capable of acting and thinking for themselves; and lastly, that they should be placed under proper moral and religious training, and left, under the protection of the laws, to provide for their own maintenance and support.

13. Having touched thus briefly on the prominent features of the system, respecting which you requested my opinion, and trusting that my remarks may convey to you the information you desired, and may not be deemed irrelevant.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 54.

No. 54.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 116.)

Victoria, Vancouver's Island, March 18, 1859.

(Received May 10, 1859.)

SIR,

I HAVE had the honour of receiving your Despatch No. 60,* of the 30th December last, acknowledging receipt of certain of my Despatches, and favouring me with a few observations thereon.

* Page 74.

2. The highly gratifying manner in which you are pleased to express to me your own approval of my course of action, and in which you assure me of the sense entertained by Her Majesty's Government of my humble endeavours faithfully to discharge the trust reposed in me, is most acceptable and pleasing.

3. My subsequent Despatches will have put you in possession of the information which you express your anxiety to receive upon the subject of the resources of the Colony, and the probable Revenue to be derived during the present year.

4. I feel much indebted to you for your remarks in regard to the duty imposed upon imported articles, and in respect to the amount of the duty itself. In all financial matters I have borne the axiom in mind, that a true policy of all nations is to be found in unrestricted industry, and that a system of high duties will lead to fraudulent invoices, to smuggling, and to other attempts to defraud the Revenue. I conceived that those evils

BRITISH
COLUMBIA.

Page 41.

would be inseparable from an extravagant rate of duty, and that smuggling especially would be created if the duties exceeded the risk and expense of illicit intercourse; but in adopting a duty of 10 per cent. ad valorem, I believed I was not departing from these principles, for I did not consider that such an amount would bear too heavily upon industry, nor that it would furnish sufficient inducements for smuggling, except, perhaps, in the single article of spirits, which might be surreptitiously introduced by the overland route from the American frontier. However, under the Proclamation of the 3rd of December last (copy transmitted in my Despatch of the 4th December, No. 42†), there is a considerable modification of the duties upon imports, many articles being free and others at a low specific rate, so that the general ad valorem duty is dispensed with, and I am led to believe, that upon the average a very large reduction is made upon the 10 per cent. rate.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 55.

No. 55.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 123.)

Victoria, Vancouver's Island, March 25, 1859.

(Received May 10, 1859.)

(Answered, No. 64, May 14, 1859, p. 91.)

SIR,

Enclosure.

* Page 68.

THE mail steamer being hourly expected, I have the honour to communicate for your information the occurrences worthy of note that have taken place since the date of my last general report contained in my Despatch of the 10th instant, No. 111.*

2. Great excitement has been recently produced in Victoria by the exhibition of a nugget of pure gold weighing $14\frac{1}{4}$ ounces, procured by the agents of the Hudson's Bay Company from the Indians of Queen Charlotte's Island.

3. There is a generally prevalent impression, founded on the discovery of gold in that island in the year 1851, that it will yet become a productive gold field.

4. The gold collected at that period, with the exception of some water-borne pieces of small size and a lump weighing 27 ounces found on the beach at the mouth of a fresh-water rivulet, was procured by blasting from a vein of white quartz running parallel with the coast, some of the masses of which were so largely impregnated with gold as to yield a return of 25 per cent. on the gross weight. The operation of blasting was continued until all traces of gold disappeared, and the miners, discouraged by the inclemency of the weather, the numbers and dangerous character of the Indians, and the difficulty of exploring a thickly wooded and extremely rugged country, did not prosecute the search further, though I am of opinion that had they done so they would have met with a successful issue.

5. I fancy that gold will be found in many other parts of the coast of British Columbia. Mr. McNeil, the officer in charge of the Hudson's Bay Company's establishment at Fort Simpson, latitude $54^{\circ} 25' N.$, in a letter just received from him, makes the following observation:—"You mention that some adventurers will visit this quarter (Fort Simpson) in search of gold, and in my opinion they will find it, as it has been found even in this harbour."

6. I have for some time past had in the Government employ a respectable Scotchman, named Downie, one of the most successful miners in California, and known all over that state as Major Downie, the founder of the town of Downieville. He accompanied Mr. McKay last summer in his overland journey from Harrison's River to Howe's Sound. He has since explored Jarvis' Inlet, where he spent the greater part of the winter, and lately made an excursion with Indians into Desolation Sound, which he has in part closely examined with reference to its mineral character. He thinks favourably of the country, and proposes crossing the mountains from the head of Jarvis' Inlet into the valley of Fraser's River as soon as the snow disappears from the mountain passes. I herewith transmit his report upon the subject of his explorations, together with an accompanying sketch of the coast, which may probably afford some points of interest. Mr. Downie has no fixed salary, but I undertook to furnish him with provisions and other means of travelling, provided he reported on the state of the country for the information of Government. He is not therefore expensive to the Colony, and may possibly, from his practical knowledge of mining and enterprising turn of mind, make some valuable discovery, and will at least contribute much information respecting the mineral character of the country.

Enclosure.

7. The intelligence from Bridge River and the Upper Fraser continues to be of the most favourable character. There is now much activity at this place in shipping goods for Fraser's River, and the revenue derived from the Customs' duty begins to be felt. The collection for the last 30 days amounts to about 1,300%, and it is gradually increasing.

8. The last accounts from Fort Yale report a great depth of snow and much cold weather in the mining districts, in consequence of which there has been no collection of revenue for miners' licences.

9. Colonel Moody is now employed in laying out the site of Queensborough, but the weather is exceedingly unfavourable for such operations, and I fear that consequently there will be no land for sale for some time to come; and, unfortunately, the commencement of the survey of the new town has entirely put a stop to any further sale of land at Langley. A large building has been erected there for the accommodation of the Royal Engineers, now daily expected in the "Thames City."

10. I forward Victoria Gazettes of the dates as per margin.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

12 March 1859.

15	"	"
17	"	"
19	"	"
22	"	"
24	"	"
26	"	"

Enclosure in No. 55.

Enclosure in
No. 55.

SIR,

Victoria, Vancouver's Island, March 19, 1859.

I HAVE the honour to inform your Excellency of my return to Victoria, after a sojourn of sixteen weeks in British Columbia.

I beg to make a statement, that I have been for the last month in Desolation Sound. The snow and rain set in so as to make it impossible to start over the mountains, from the head of Jarvis' Inlet to the Upper Fraser River, for some time.

So I thought it would be as well to go and see what the Klahous country looked like, as I had heard a great deal about it.

We started from the head of Jarvis' Inlet on the 22nd of February, for Desolation Sound, in a small canoe, with four Indians, pick-pan, shovel, and rocker; came down the west entrance of Jarvis' Inlet, which is much better than the eastern. From Scotch Fir Point up the coast it is shallow, and rocks and reefs running out a good distance from the shore.

It was most refreshing to come down on the gulf, where the land had all the appearance of spring, and after being so long up the inlet. No snow on any of the islands along the coast, except Tarada. Savary Island has all the appearance of a farm under cultivation, from the abundance of grass on it; large patches of farming land make it look very enticing, but the water is scarce for farming purposes; but excellent pastures for stock all the year round. The mainland opposite this island changes in appearance with regard to the rock formation: quartz and slate along the shore up to Sarah Point. I kept cracking the rocks as we went along, but have found no gold yet.

We arrived safe into Desolation Sound: it does certainly look somewhat desolate in a snow storm; but will be better when the weather is fine. It will not do to condemn it on account of its name. I am well pleased with the prospect of this section.

This is the first time I have seen pure veins of sulphuret of iron: it looks very much like silver. At all events, it is a good indication of a rich gold-bearing quartz north of this.

The first I saw of it was a small square piece in the possession of an Indian. I offered him some tobacco for it, but he would not part with it—even if I gave him its weight in gold: so I concluded not to care about it for a higher price, as there must be more of it not far off. I came across a number of seams of the same kind: it lays in the quartz, the same as gold; and there is no doubt but further north there is plenty of gold in the same rock. I may strike it yet on the sea-board at the head of some of these inlets; at all events, it is worth a trial. I have no idea that the gold is confined to Fraser River alone. If it can only be found from the sea-board, or on the rivers at the head of some of these inlets, the country will soon be prospected,

Bute Inlet (Homalthco), that runs so much further north than this inlet, has a large river emptying into it from the north-west. This river looks most favourable for gold, and I should much like to have prospected it; but the Indians would not go, as they were afraid of the Euclitus tribe; but the principal reason was, that the canoe was small, and we were not altogether prepared to give it a fair trial. It was snowing most of the time, and rather discouraging for them, and not very pleasant for somebody else. So that, upon the whole, I thought it was best not to go to Bute Inlet at that time, but wait until the weather was more settled.

Camped near the Klahous Indian village; they all paid me a visit, as a matter of course. I gave them all a small piece of tobacco. They seemed well pleased; but they must have a look at our mining tools, and canoe, and blankets, and general appearance. When they had satisfied themselves on these points, they told my Indians I was not a Tyeë (this was the unkindest cut of all). My Indians told them I was a Tyeë;* but it was no use. They said a Tyeë would have a large canoe, and plenty of blankets; whereas there was nothing of the kind visible, only picks, pans, and old rocker, and what was the use of that among Indians.

Appearances were against me, and it was no use to ask for time to explain,—as the custom is nowadays: when I brought to mind that such was the ways of the world, and erring man, I did not feel disposed to find fault with the poor Klahous Indians for finding fault and judging from outward appearance. Upon the whole, I got along with them very well; in fact, better, I think, than if there had

* Meaning a chief, a person of consequence.

BRITISH
COLUMBIA.

been more white men with me. We got a few potatoes from them; so there must be something else besides rocks in Desolation Sound.

We went up to the head of the inlet, where the "Deserted Village" is on the map: no Indians there now. It looks as much like a deserted village to-day as it did when it was named by Vancouver. About two miles above this the river comes in from the north-east. The sand washing out of the river has formed a large flat at the head of the inlet, in some places dry at low water. We had some difficulty in getting the canoe into the river, which is also shallow, being filled up with sand from the continual wash from the mountains.

We went up the river about five miles. The Indians tell me it will take five days to go to the head of it. Judging from the way a canoe goes up such rivers, the distance must be about sixty miles. This would be a long distance above the Quamish, and would not be far from the Lillooet. The Indians have gone this route to the head of Bridge River (Hoystier): it may be, that this will be the best route yet to try. It is very evident there is a pass in the coast range here; that will make it preferable to Jarvis' Inlet or Howe's Sound. If a route can be got through, it will lead direct to Bridge River. Nothing can be done for a few weeks, as it is now raining and snowing, and it would not be advisable to try it.

I have seen more black sand here in half a day than I did in California in nine years; it looks clear and bright as if it came from quartz: there must be something back of this. I am better satisfied now than ever I was, although I have never doubted the richness of this country.

It will not be long before the gold deposits of British Columbia astonish the world.

Seeing that it was out of the question to proceed further, we put back,—got a parting salute from the grissleys on the side of the mountains as we were leaving. The Indians awakened them up by firing at seals, so they gave us a parting growl. We came down along shore, breaking and trying the rocks, but did not discover any gold. Lots of sulphuret of iron.

The land on each side of the river is low, and will be overflowed in many places in spring; but, for all that, if a trail can be found through, it will not be difficult to make a road along the banks of the river.

In coming down, we came through the island named "Redonda." This is a fine passage, and shortens the distance about ten miles in going to Klahous Inlet, so that there are actually two islands instead of one, as it is in the chart.

The distance from Klahous Inlet to Homatheco Inlet (Bute Inlet on the chart) is about thirty miles; but I could not get the Indians to go now in the small canoe, but they will go with me anywhere; and I prefer prospecting alone with Indians to having white men with me.

The Indians tell me the colour of the water in the large river that comes in at the head of Homatheco from the north-west, is the same as Fraser River; and when I get up there I will be in or near the range of Queen Charlotte Island, and that is where I must get gold.

We had a hard passage to Nanaimo, but arrived all right. Paid off the Indians, and heard from Captain Stewart that he had forwarded supplies to Jarvis' Inlet, by order of your Excellency, so that I am all ready for a start again to Desolation Sound, if I had a small boat with a deck on it to make me a little more comfortable: besides, the wages of Indians soon amount to the price of a decked boat.

I have, &c.

His Excellency J. Douglas, Esq., C.B.,
Governor, &c.

(Signed) WM. DOWNIE.

Despatches from the Secretary of State.

No. 1.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(Private.)

BRITISH
COLUMBIA.
No. 1.

SIR, Downing Street, December 16, 1858.

I HAVE to acknowledge the receipt of your Private* Despatch of the 4th of October, announcing to me your acceptance of the office of Governor of British Columbia, and your intention, in consequence, to take early measures for withdrawing from the Hudson's Bay Company, and disposing of your Puget Sound stock.

* Page 1.

I have on former occasions assured you of the high estimation in which I hold the vigour and ability you have displayed in the incipient stages of a Colony that promises to be so noble an accession to the dominions of our Sovereign, and it gives me peculiar pleasure to find that you are disposed to continue your assistance towards the development of resources which were first brought to light under your administration of Vancouver's Island. You state your belief that the sum of 1,000*l.* a year would be wholly inadequate for the befitting salary of the Governor of a Colony in which the necessities of life far exceed the standard in England. Since the date of the Despatch in which that sum was named the information that has reached me is, as you are aware, much less vague as to the value of the gold fields than it was when, immediately on my accession to office, I foresaw that we should lose no time in securing law and government to a district hitherto unknown to civilization, and I hastened to offer to yourself the post you have gratified me by accepting.

I should rejoice to see the revenues of the Colony such as would justify a considerable increase to the salary I originally proposed. But until those revenues are actually in operation and their results unequivocally apparent, I should feel it equally impossible to obtain from the British Parliament and unfair to the Colony to apportion to its earliest expenses such a salary for the Governor as you suggest. It is my duty to consult economy, pushed to thrift, until the Colony is provided with the ways and means that justify a more liberal expenditure. Whenever that happens, I think, on every principle of sound policy, that we should secure to its administration the zeal and talents of the ablest public officers; and to stint the salaries of such men would be, in my judgment, to retard the growth of the Colony.

But you have now large expenses to meet, including the services, at least the colonial pay, of the British Engineers.

These last, I trust, the early sales of land will suffice to cover; yet until the statements you promise me as to the next year's revenue arrive, it is clear that I cannot form a judgment of the expenses I ought to sanction.

I shall not at present be enabled to recommend to the Lords Commissioners of the Treasury a higher grant than 1,800*l.* a year for the Governor of British Columbia and Vancouver's Island out of the Parliamentary grant, and I hope that this will be the only item, except by way of advance, in which the House of Commons may be called upon to contribute to the expenditure of the Colony. But I shall certainly not object to a large increase of that salary out of local funds, if your accounts of the local revenue are such as to justify it.

The extent of such augmentation must obviously depend upon the character and the extent of those revenues, considered with reference to other local charges which must be defrayed, and to a reasonable calculation of their productiveness hereafter. More than this I am unable to say at the present moment, but I shall look for the further information which you promise me upon the financial prospects of the Colony, and to any future explanations which you may wish to give on the subject, before I can come to a definite decision.

I have, &c.

(Signed) E. B. LYTTON.

Governor Douglas, C.B.,
&c. &c. &c.

BRITISH
COLUMBIA.

No. 2.

No. 2.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTON, Bart., to Governor
DOUGLAS.

(No. 60.)

SIR,

Downing Street, December 30, 1858.

* See page 33,
Part I.
† See page 3.

I HAVE to acknowledge your Despatches, No. 39,* of the 9th September, and No. 3,† of the 12th October last, on the state of affairs in British Columbia, the latter containing a detailed report of your observations during a visit to the Fraser's River territory, from which you had then just returned.

I can but repeat (and I do so with great pleasure) the testimony which I have already borne to your energy and promptitude amidst circumstances so extraordinary as those in which you found yourself placed; and to assure you of the sense entertained by Her Majesty's Government of the capacities you have thus signally evinced. The information which your Despatch conveys is likewise of the most valuable kind.

I allude with much interest the reports which further acquaintance with the resources of the Colony will enable you to make of the probable Revenue to be derived from it in the course of the following year. I was fully prepared for the accounts which your Despatches convey of the high price of all articles of necessity and convenience, and the dearness of transport; and I recognize (as I have done on another occasion) your equitable right to a considerable advance of salary, as soon as the Revenue, under sagacious management and thoughtful economy, warrants that expenditure on official incomes which would at present be wholly inadmissible. But I have dealt with the subject of the financial position of the Colony in another Despatch of this day's date.

All doubt as to your power to impose a duty on imported articles will now have been removed, since the general words of the recent Act of Parliament and Charter of the Colony have plainly invested you with this as well as other legislative authority. The amount which it may be desirable to impose must be mainly regulated, in the first instance, by your own judgment and experience, though I will own, that at this distance it appears to me, that an ad valorem duty of 10 per cent. is somewhat too high, and may defeat its own object. I desire not, however, in hazarding this opinion, to shackle the judgment of a Governor who has shown himself so able. I cannot conclude without expressing my cordial approval of the manner in which you appear to have carried out the two objects which, at the outset of such a Colony, should be steadfastly borne in view; viz., a liberal and kindly welcome to all honest immigrants, and the unquestionable supremacy of British Sovereignty and law.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTON.

No. 3.

No. 3.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTON, Bart., to Governor
DOUGLAS.

(No. 61.)

SIR,

Downing Street, December 30, 1858.

Page 8.

I HAVE to acknowledge your Despatch, No. 6,‡ of the 26th October last, reporting on various subjects connected with the progress of events in British Columbia.

There are one or two topics which seem to me to deserve a separate notice.

With respect to Mr. Pearkes' proposal for the administration of the law; it appears to me well adapted for the purpose, from its simple and practical character; but since the date of your Despatch, Mr. Begbie, the newly-appointed Judicial Officer will have arrived, and the scheme will necessarily have been subjected to his revision.

The amount to be expended upon judicial and legal establishments must, however, necessarily depend upon the revenue by which the expenditure is to be met. And in this respect there is likely to be a just correspondence between the degree to which the want may be experienced and the means by which it may be supplied, since the same expanding of the population which necessitates enlarged establishments, legal or judicial, will furnish the revenue proportioned to its requirements.

Both on this head, and with regard to the salaries of civil officers on which you ask my instructions, I cannot too early caution you against entertaining any expectation of the expenses of the Colony under your charge being met at the outset by a considerable Parliamentary grant. It is needless to discuss the possible benefits or evils which such pecuniary assistance might produce, inasmuch as I am fully satisfied that Parliament would regard with great disfavour any proposal of a gift or loan to the extent you suggest, and upon such a principle as that on which you would recommend the application to Parliament being made. But I cannot avoid reminding you, that the results, even if the object could be attained, would, according to all past experience, be of a very questionable character. The lavish pecuniary expenditure of the Mother Country in founding new Colonies has been generally found to discourage economy, by leading the minds of men to rely on foreign aid instead of their own exertions; to interfere with the healthy action by which a new community provides step by step for its own requirements; and to produce at last a general sense of discouragement and dissatisfaction. For a Colony to thrive and develop itself with steadfast and healthful progress, it should from the first be as far as possible self-supporting.

I can assure you that in bringing these general considerations under your notice, I by no means overlook the special circumstances of the case of British Columbia, nor do I at all under-estimate the difficulties, and the anxiety which they must occasion you. But I need not impress on one so accustomed as yourself to the details of public business and the conduct of financial enterprises, that even under more unfavourable prospects than those of a Colony, of which the resources along with the necessities are rapidly augmenting, there is room for exercising the control of a judicious economy, and for adapting your objects to such means of attaining them as you may possess. Nor must you forget that we have contributed from this country the aid which you state to be the most immediately and imperatively required. You will not only have a naval and military force adequate, I trust, to secure respect to order and law, but the military part of that force will at once assist in the construction of roads and bridges, the want of which is so sensibly felt. I look to the Royal Engineers under Colonel Moody, and the able officers at his command, for the opening of the readiest and speediest means of access and communication. In selecting from Her Majesty's forces those commonly known by the name of Sappers and Miners, I bore in mind the necessities of a wild country without barrack accommodation, these being the soldiers who could, with the most ease and rapidity, cover themselves; and I thus enabled you to postpone costly buildings for the accommodation of troops, until you could raise from Colonial resources the means by which such improved accommodation might be provided. The military pay of this force the Home Government may for the present contribute; but with regard to the pay and expenses which belong purely to Colonial services, I shall expect that the proceeds from land sales, which are the appropriate fund for all collateral costs of survey, will suffice to provide for these objects, and I should regard any advance upon that score as a temporary accommodation to be defrayed from the earliest sales.

No doubt it might be more agreeable to the pride of the first founders of a Colony which promises to become so important, if we could at once throw up public buildings, and institute establishments on a scale adapted to the prospective grandeur of the infant settlement. But after all, it is on the character of the inhabitants that we must rest our hopes for the land we redeem from the wilderness; and it is by self-exertion, and the noble spirit of self-sacrifice which self-exertion engenders, that communities advance through rough beginnings to permanent greatness. Therefore it is not merely for the sake of sparing the Mother Country that I invite your cordial and intelligent co-operation in stimulating the pride of the colonists to submit to some necessary privations in the first instance, and to contribute liberally and voluntarily from their own earnings (which appear to be so considerable), rather than to lean upon the British Parliament for grants, or for loans, which are rarely repaid without discontent, and can never be cancelled without some loss of probity and honour. It is my hope that when the time arrives for representative institutions, the Colony may be committed to that grand experiment unembarrassed by a shilling of debt, and the colonists have proved their fitness for self-government by the spirit of independence which shrinks from extraneous aid, and schools a community to endure the sacrifices by which it guards its own safety and provides for its own wants.

I have said thus much in commendation of the strictest thrift at the onset. But whether this thrift can be with the greatest safety exercised in the construction of public buildings, the creation of establishments, the number and salaries of officers engaged, or otherwise, I cheerfully leave to the discretion of a Governor who has shown himself so provident and sagacious.

BRITISH
COLUMBIA.

I cannot conclude without begging you to convey to Major Hawkins, of the Royal Engineers, my acknowledgments of the assistance he so ably rendered you. Your sense of the value of that assistance will be duly reported to the War Office.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON.

No. 4.

No. 4.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 62.)

SIR,

Downing Street, December 30, 1858.

WITH reference to my Despatches of this day's date, on the present condition of British Columbia, I wish to add a few observations on the policy to be adopted towards the Indian tribes.

The success that has attended your transactions with these tribes induces me to inquire if you think it might be feasible to settle them permanently in villages; with such settlement civilization at once begins. Law and Religion would become naturally introduced amongst the red men, and contribute to their own security against the aggressions of immigrants, and while by indirect taxation on the additional articles they would purchase they would contribute to the Colonial Revenue, some light and simple form of direct taxation, the proceeds of which would be expended strictly and solely on their own wants and improvements, might obtain their consent.

Sir George Grey has thus at the Cape been recently enabled to locate the Kaffirs in villages, and from that measure, if succeeding Governors carry out, with judgment and good fortune, the designs originating in the thoughtful policy of that vigorous and accomplished Governor, I trust that the posterity of those long barbarous populations may date their entrance into the pale of civilized life.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON.

No. 5.

No. 5.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 6.)

SIR,

Downing Street, January 20, 1859.

I HAVE to acknowledge the receipt of your Despatches, No. 1,* of the 12th, and No. 5,† of the 23rd of October last; the first enclosing two Proclamations and a notice which you had issued, prohibiting the introduction of spirituous liquors among the natives, and cautioning purchasers against fraudulent sales of Crown lands by unauthorized persons; and I have to convey to you my approval of the notice and Proclamations in question. With respect to the form of grant enclosed in your second Despatch, I have to observe that it runs in the name of the Governor and not in the name of the Queen, as is usual in all grants made in virtue of powers delegated by Her Majesty, and that the condition at the end of it, that the lands shall be subject to all laws and sanitary regulations now in force is superfluous, and therefore, perhaps, calculated to raise a doubt on that point rather than to settle it.

Enclosure.

I therefore transmit a form of grant for your adoption which appears to me sufficient for all purposes. You will observe that all reservations of timber, minerals, &c. are omitted in conformity with the policy which has been established in other Colonies of late years, but this omission will not entitle a grantee to appropriate gold or silver which may be found on his grant, although it will entitle him to the baser metals and coal.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON.

* Page 2.
† Page 8.

Enclosure in No. 5.

BRITISH
COLUMBIA.

FORM of GRANT for Crown Lands in British Columbia and Vancouver's Island.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen, Defender of the Faith, and so forth: To all to whom these Presents shall come, greeting.

Enclosure in
No. 5.

Know ye that We do by these Presents, for Us, Our heirs and successors, in consideration of the sum of _____ to Us paid, give and grant unto [grantee, describing him], his heirs and assigns, all that parcel or lot of land situate [describe land] and numbered _____ on the official plan or survey of the said township; to have and to hold the said parcel or lot of land, and all and singular the premises hereby granted, with their appurtenances, unto the said [grantee], his heirs and assigns, for ever.

Provided nevertheless, that it shall at all times be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf, by Our or Their authority, to resume without compensation any part of the said lands which it may be deemed necessary to resume for making roads, canals, bridges, towing-paths, or other works of public utility or convenience; so, nevertheless, that the lands so to be resumed shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such resumption shall be made of any lands upon which any buildings may have been erected, or which may be in use as gardens, or otherwise, for the more convenient occupation of any such buildings.

In witness, &c.

No. 6.

No. 6.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 7.)

SIR,

Downing Street, January 22, 1859.

I HAVE received and perused with much interest your Despatch, No. 30,* of the 9th of November last, containing the latest accounts from the gold mines in British Columbia, and reporting the progress made in the construction of roads.

* Page 27.

In conveying to you my cordial approval of the construction of the route by Harrison's River to a point of Fraser's River, at an expenditure of 10,000*l.*, you will bear in mind that I look to the payment of all expenses connected with it out of local and not from Imperial funds.

I have, &c.

Governor Douglas, C.B.

(Signed) E. B. LYTTON.

&c. &c. &c.

No. 7.

No. 7.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 13.)

SIR,

Downing Street, February 2, 1859.

I HAVE to acknowledge your Despatch, No. 26,† of the 8th of November last, reporting the arrival on the 29th of last October of Captain Parsons, with the detachment of Royal Engineers under his command. I have also received from that officer a letter, dated the 9th of November, to the same effect.

† Page 25.

You will inform Captain Parsons that, in accordance with the established "Colonial Regulations," public functionaries, who have any representations of a public or private nature to make to H. M. Government, should properly address them to the Governor of the Colony, whose duty it is to receive and act upon such representation as the public advantage may seem to him to require. Captain Parsons will therefore be so good as to attend to this rule in future, the departure from which is apt to produce inconvenience; and you will also make the rule as widely known as possible, so that there may not be any ignorance of it in either British Columbia or Vancouver's Island. Of course, any officer or private person has a right to address the Secretary of State direct on any subject which he thinks it necessary to bring under his notice; but in that case he must send his petition or representation under cover to the Governor, who will transmit it with such report as he may deem it to require. Unless sent in this way through the Governor it cannot be attended to.

BRITISH
COLUMBIA.

I find that you are in possession of several copies of the book of Colonial Regulations, which were sent to you in your capacity of Governor of Vancouver's Island; you will therefore be readily able to fulfil the preceding instruction.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 8.

No. 8.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 14.)

SIR,

Downing Street, February 4, 1859.

* Page 35.

I HAVE to acknowledge the receipt of your Despatch, No. 35,* of the 27th November, and to convey to you my approval of the measures you adopted in sending the detachment of Royal Engineers, under Captain Grant, without delay to Fort Langley.

I also approve the other proceedings reported in your Despatch.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 9.

No. 9.

COPY of DESPATCH from Sir E. B. LYTTON to Governor DOUGLAS.
(No. 16.)

SIR,

Downing Street, February 7, 1859.

† Page 17.

I HAVE had under my consideration your Despatch, No. 7,† of the 27th of October, on the disposal of public land in Vancouver's Island and in British Columbia.

The lowest price of country lands in Vancouver's Island would appear to have been 1*l*. per acre, and I think that the same may with propriety be adopted in Fraser's River and the other mining districts, for which you have suggested the adoption of this price. I shall not object to your naming, if you see good practical reasons for that course, either in order to increase the attractions to new settlers, or on account of the rates charged for land in the adjacent territory of the United States, a lower upset price than 1*l*. for ordinary country lands in other districts; but I think that any such price should be general, so as not to have a great variety of rates, and I would also point out to you that great caution should be exercised in introducing such distinctions, lest by creating artificial inducements, they should interfere with the course of settlement which would be dictated by the natural advantages of the country.

One principal question raised in the report which you have furnished is whether to adopt the plan of sale by auction or that of sale at a fixed price. The advantage of sale by auction is that it forms the best available precaution against parting with the land at an inadequate price, and that it conclusively prevents both the occurrence and even the suspicion or imputation of any favouritism or irregularity in the disposal of the public property. The objections to auction are, that it may discourage enterprise by exposing the discoverer of eligible lands to be outbid at their sale, and that, unless well regulated, it may involve a delay in affording purchasers an opportunity to obtain the lots they desire. Looking, however, to the inestimable advantage of perfect confidence in the purity of the land administration, my own opinion is that sale by auction is the best system, and that most of the objections to it might be obviated by the adoption of a rule which is very common in other Colonies, namely, that ordinary country lots, after once they have been exposed to sale and not purchased, may be bought by a fresh applicant at the upset price as a fixed price. This you will observe will always afford a large quantity of common land ready for appropriation by any settler who is unwilling to wait for a periodical auction.

The reasons for submitting lots to competition are, I need scarcely observe, doubly strong in the case of town or suburban lots.

Another question of importance, and one on which a flood of light has been thrown by experience in other Colonies, is whether payment for the land should be prompt or on the contrary allowed to be made in instalments. I have not a doubt myself, from the wide experience which has been acquired on this subject, that prompt payment is the proper rule. It is the best indication of a purchaser's being really possessed of means to

cultivate his lot, it avoids harassing the Government with the existence of a whole population of small debtors, from whom it is next to impossible to collect their dues, and above all it maintains a sounder state of society by not encouraging the premature conversion into petty and impoverished landowners of those who ought to be labourers.

The size of lots is a matter which I must leave you to determine, with the advice of Colonel Moody, merely stating that I do not myself see any objection to adopting for country lots one-sixth or one-eighth of a square mile, that is to say, 107 or 80 acres. The last mentioned size was adopted with much convenience in creating the flourishing settlement of South Australia. Town lots should of course be much smaller, so as to suit the convenience of purchasers. In most new Colonies formed within the last 20 years, such lots have produced very high prices, seldom falling below a rate which would amount to 100*l.*, and often reaching that of 1,000*l.*, per acre.

The reservation of mineral lands, and the disposal of them on different terms from agricultural lands, are proper. In respect to coal and the baser metals, the best arrangement would probably be to establish liberal regulations for encouraging explorations, and for leasing to the discoverer lands under which minerals may be discovered for a certain period, and at a certain small royalty. In several Colonies the terms for mineral lands are, a lease of 21 years at a royalty of $\frac{1}{16}$ th. Whether those terms would be sufficiently favourable in British Columbia, or whether it would be desirable to make them easier by postponing the payment or reducing the amount of the royalty, I leave it to you to decide. I mention them only as showing what has been considered fair to all parties in other of the British Colonies. But it is obvious that the revenues to be derived from such lands is not the most important element of the question, and that it should not be allowed to interfere with whatever may be necessary to stimulate the development of the natural resources of the Colony. In case of more than one application for the same mineral land, the lease should be put up to auction, the biddings being, not on the amount of rent or royalty, but on a premium to be paid down for the lease.

Auriferous lands are distinct from what are usually termed mineral lands, and must be dealt with on different principles. In the case of coal and the baser metals, the possession passes to the owner of the surface soil unless a special reservation is inserted in the Crown grant. In the case of gold and silver, the right remains in the Crown, whether there is any reservation in the grant or not. I do not feel that much assistance can be afforded to you in this matter by any suggestions from home. The question to be decided is not so much, what is the best mode of dealing with auriferous lands and securing a revenue from gold digging, as, what is the most practicable and satisfactory plan, having regard to the means at the Governor's disposal. Upon this point resident authorities alone can form a competent opinion.

I refer you to my former Despatch (of 14th October*) as to my own anticipations of the difficulties to which, sooner or later, the system of licences for digging is exposed, but unquestionably so long as those difficulties do not occur, the system has the advantage of promptitude in the collection of a revenue. I have been glad to observe in your Despatch (of 14th December†) that your experience already bears out the opinion I before conveyed to you, as to the great fiscal resource to be found in a duty on gold exports.

The time at which a trigonometrical survey may be commenced consistently with any more urgent demands on the surveyors for the practical wants of settlers, is a question which will best be determined by you on the advice of Colonel Moody.

The publication of maps and of other information concerning the lands open for settlement will be very useful, and you will no doubt furnish the Home Government with copies of all such documents.

The establishment of a series of meteorological observations will be much facilitated by the presence in the Colony of a body of educated officers and men, to many of whom probably, such observations are familiar.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON

No. 10.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 17.)

No. 10.

Sir, Downing Street, February 8, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 50,* of the 7th of December last, relative to the claims of the Hudson's Bay Company to lands adjoining their trading establishments in British Columbia.

BRITISH
COLUMBIA.

I should also wish, before deciding on these claims, to receive a report through you from the Commissioner of Crown Lands, and I request, therefore, that you will consult with Colonel Moody in the matter.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 11.

No. 11.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 20.)

SIR,

Downing Street, February 11, 1859.

* See page 37.

I HAVE had under my consideration your Despatch, No. 38,* of the 29th November, containing a report of the sale of town lands at Old Fort Langley, in British Columbia.

I approve of your proceedings in the matter of the sales, of which the result appears to have been satisfactory.

The measure that you propose respecting aliens is unexceptionable; but I may mention to you that the law on the same subject in Canada is more favourable to aliens, and that I should be quite prepared to assent to the extension of similar provisions to British Columbia, if you should see no objection.

12 Viet. c. 197.

22 Viet. c. 1.

I enclose for your information copies of the Canadian Acts which regulate this matter. By these Acts you will perceive that aliens are capable of holding and disposing of land in the same manner as natural-born subjects of Her Majesty, and after a continual residence of three years are entitled to a certificate of naturalization on taking certain oaths or affirmations of residence and allegiance; and persons so naturalized enjoy and transmit to their heirs all the rights and capacities of natural-born subjects. Aliens, therefore, under these Acts, are not liable to be deprived of their land after the expiration of three years, should they neglect or decline to take out certificates of naturalization.

It has been suggested to me, that supposing the advantages to be in other respects equal, it might have been preferable to place the town on the banks of the river which is furthest from the American frontier. I shall be glad to receive for my information any remarks which it may occur to you to make on this point, although I am quite sensible that the site of the town is a matter on which, from your local observation, you must be the best judge. On such matters you now have the advantage of consulting Colonel Moody, an engineering officer of great skill and experience.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 12.

No. 12.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 21.)

SIR,

Downing Street, February 11, 1859.

† Page 34.

I HAVE had the honour to receive your Despatch of the 27th November last, No. 34,† reporting the Proclamation of the Act of Parliament providing for the Government of British Columbia, and the installation of the public officers. I approve the steps which you have taken for this purpose.

I have communicated to the Hudson's Bay Company the fact, which you also announce, of the promulgation of the revocation, on the 3rd November last, of the licence to the Company for exclusive trading with the Indians in so far as the same applies to the territories comprised in British Columbia.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 13.

No. 13.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 22.)

SIR,

Downing Street, February 12, 1859.

‡ Page 45.

I HAVE to acknowledge the receipt of your Despatch of the 14th December, No. 51,‡ reporting upon the affairs of British Columbia down to that date.

It is most satisfactory to Her Majesty's Government to find that tranquillity prevails in the country, and that in your opinion an export duty on gold, together with other sources of revenue, would yield an income of 100,000*l.* per annum. Her Majesty's Government are quite alive to the success which has hitherto attended your efforts to avoid drawing upon them for the expenses of the Colony, and they highly commend your proceedings in that respect. They entertain much confidence in your ability to continue this course of policy, and although it may be necessary that I should apply to Parliament for some advance on the Estimates on account of the pay of the detachment of Royal Engineers, I shall rely on the ultimate repayment of that advance to this country.

I have, &c.

(Signed) E. B. LYTTON.

Governor Douglas, C.B.,
&c. &c. &c.

BRITISH
COLUMBIA.

No. 14.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 28.)

No. 14.

SIR, Downing Street, March 3, 1859.

I HAVE received your Despatch No. 31,* of the 13th November, in which you recommend the appointment of Mr. W. A. G. Young to the provisional office of Colonial Secretary of British Columbia. * Page 33.

Recognizing the importance to you of having the services of an efficient secretary, I have obtained permission from the Foreign Office, and from the Lords Commissioners of the Admiralty, for your employment of Mr. Young in this capacity; and if you can provide him with a salary out of colonial revenues of about 500*l.* per annum, I shall be happy, on that understanding, to submit his name to the Queen for the appointment.

I think that the Colonial Secretary might at the same time perform the duties of auditor or accountant to the public revenue and expenditure.

I have, &c.

(Signed) E. B. LYTTON.

Governor Douglas, C.B.,
&c. &c. &c.

No. 15.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 30.)

No. 15.

SIR, Downing Street, March 10, 1859.

WITH reference to your Despatch, No. 37,* of the 27th of November, I have to acquaint you that the Lords Commissioners of the Admiralty have, at the recommendation of Rear-Admiral Baynes, given orders for two gun-boats to be fitted for service in British Columbia. * Page 36.

I have, &c.

(Signed) E. B. LYTTON.

Governor Douglas, C.B.,
&c. &c. &c.

No. 16.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 32.)

SIR, Downing Street, March 15, 1859.

I HAVE received your Despatch of the 6th January, No. 65,* forwarding with Copies of two letters from Judge Begbie, the copy of an Order of Court, regulating the admission of Barristers and Attornies to the Court of British Columbia. * Page 52.

I regret that there should be no duly qualified English Lawyers to practise in the Court, and that it has been therefore necessary to admit foreign Counsel. But as the arrangement which you report is plainly unavoidable and only temporary, I offer no objection to it.

I have, &c.

(Signed) E. B. LYTTON.

Governor Douglas, C.B.
&c. &c. &c.

BRITISH
COLUMBIA.
No. 17.

No. 17.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 33.)

SIR,

Downing Street, March 19, 1859.

* Page 41.

I HAVE to acknowledge the receipt of your Despatch, No. 42,* of the 4th December last, transmitting copies of two Proclamations issued by you, the first conferring on yourself and your successors the power to convey Crown lands within the Colony of British Columbia, the second imposing duties on imports into British Columbia.

I have laid these Proclamations before the Queen, and I am commanded to acquaint you that Her Majesty has been pleased to approve them.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 18.

No. 18.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 36.)

SIR,

Downing Street, March 22, 1859.

* Page 58.

I HAVE received your Despatch, No. 80,* of the 22nd January last, and have learned with satisfaction that the difficulties at Fort Yale and Hill's Bar have been adjusted.

I approve the course taken by Colonel Moody in proceeding to Fort Hope with a party of Marines and Royal Engineers to maintain order.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 19.

No. 19.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 39.)

SIR,

Downing Street, March 24, 1859.

* Page 57.

I HAVE to acknowledge the receipt of your Despatch, No. 79,* of the 21st of January, reporting on the state of the Colony up to that date, and forwarding a sample of gold found at Stonia, on the Fraser river.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 20.

No. 20.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 48.)

SIR,

Downing Street, April 11, 1859.

* Pages 47. 55.

IMMEDIATELY after the receipt of your Despatches of the 27th December and the 8th January last, Nos. 56 and 68,* reporting the disturbances that had taken place at Fort Yale and the measures which you so successfully adopted for putting them down, I conferred with the proper authority in Ireland, with the view of ascertaining whether and how your requisition for a detachment of the Irish Constabulary Force could be complied with. I have now the honour to forward to you the copy of a letter from Lord Naas, with an enclosure from the chief inspector of the constabulary, from which you will see that it is impracticable to meet your wishes without first obtaining from you specific answers on the various points of detail which are mentioned in Sir H. J. Brownrigg's letter as defective in your Despatches. In forwarding this communication I must state in perfect frankness that it is totally impossible for Her Majesty's Government to undertake the expense, partially or otherwise, which this proposed police force would entail. I could not reconcile it to my sense of duty, nor indeed would it be consistent with the spirit of my repeated Despatches to you, to appeal to the House of Commons for the establishment of a police force in a Colony where a large revenue may be confidently anticipated, and into which a great population is rapidly flowing. From that population you must derive the means of maintaining the peace of the country. I would remind you that by that pro-

Enclosure 1.

BRITISH
COLUMBIA.

ceeding a habit of self-reliance will be engendered which would be seriously impaired, if when disturbances arise, and they cannot but be expected to occur occasionally in a Colony composed of persons drawn from so many different nations, you have recourse to Imperial assistance. With respect to this particular disturbance, if so it can be called, at Fort Yale, I entertain a strong impression that if, when the police failed in the performance of their duty, volunteers had been called for, there would have been found no deficiency of zeal, or offers of service on their part. Certainly if the inhabitants of British Columbia find it easier and cheaper to employ others to protect them Her Majesty's Government will by no means object, provided the colonists recognize the principle that they must pay for the expense. But I must repeat to you that before any such expenses are incurred it is incumbent on you as Governor of the Colony to redeem the obligations already owing to this country. Her Majesty's Government are pledged in my various Despatches to this, and I am constrained to insist upon the punctual fulfilment of the pledge.

I enclose the copy of an account, which I have received for the Lords Commissioners of the Treasury, showing some of the primary charges incurred for Colonel Moody's party of Engineers.

Enclosure 2.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

Enclosure 1 in No. 20.

SIR,

REFERRING to your letter of the 8th instant, relative to sending out a party of the Irish Constabulary Force to British Columbia, I beg to transmit, for the information of Secretary Sir Edward Bulwer Lytton, copy of a report which has been received from the Inspector-General of Constabulary upon the above subject; and I am to request that the information required by Sir Henry Brownrigg may be afforded, in order that he may be enabled to furnish a definite reply to your communication.

Enclosure 1 in
No. 20.

Sub-Enclosure.

Herman Merivale, Esq., C.B.,
&c. &c. &c.

I have, &c.
(Signed) NAAS.

Sub-Enclosure.

SUBMITTED.

Sub-Enclosure.

REFERRING to the annexed letter, I find it difficult, if not impossible, to afford a satisfactory answer to the question proposed without further information on the following points:—

1. What number of men of each rank, head-constables, constables, and sub-constables would be required?
 2. Would the men be required to engage for a particular period of service, for an unlimited period, or upon what other conditions in that respect?
 3. Upon what conditions would they be engaged in regard to retiring allowance or pension? And would past service in the Constabulary at home be recognized and allowed for?
 4. Would married men, or what proportion of them, be accepted?
 5. Any limit as to age?
 6. Presuming that the men themselves would have a free passage, would this provision extend to wives or to families in the case of married men, should such be accepted?
- In calculating the expense of the proposed detachment, the cost of clothing, arms, and equipments would, of course, have to be taken into account, which, according to the previous contracts, might average, for a head-constable, 9*l.*, and for a constable and sub-constable, 6*l.* 7*s.*; but in the event of an improved quality of clothing being adopted, as at present under consideration, the cost per man would be somewhat greater.

As regards the subject of pay, I am not in a position to form a correct judgment thereon; but the following extract from a private letter which I have received from Mr. Brew, the chief officer of the police in the Colony, may aid in forming an estimate:—

"I think," Mr. Brew says, "a private constable should receive nine shillings per diem. They could not live here on less."

If the men be liberally paid, I do not doubt that the required number would volunteer; but before making any proposition to them, it would be indispensable that I should be enabled to inform them what they would have to look forward to.

In sending out a detachment of 150 men, I am of opinion they should be officered as follows, viz:—

- 2 sub-inspectors.
- 2 first head-constables.
- 4 second ditto.
- 25 constables.
- 5 acting constables.

March 15, 1859.

(Signed) H. J. BROWNRIGG.

BRITISH
COLUMBIA.Enclosure 2 in
No. 20.

Enclosure 2 in No. 20.

STATEMENT of the ADVANCES which have been made to any Persons on account of BRITISH COLUMBIA out of Treasury Chest.

Date of Authority.	Name.	Service.	Amount.	When paid.
1858. August 31 -	Col. Moody -	Incidental expenses of Capt. Parsons, R.E., and party of 20 Royal Engineers, proceeding to British Columbia.	£ 500 0 0	1858. September 1.
September 15 -	Cox and Co., on account of Captain Grant, R.E.	Expenses to be incurred in proceeding to British Columbia.	100 0 0	September 27.
„ 16 -	Col. Moody -	On account of the expense of a party of 12 Royal Engineers who are to proceed to British Columbia, <i>via</i> Panama, under the charge of Capt. Grant, R.E.	800 0 0	September 16.
„ 20 -	Cox and Co. -	Advance pay to Royal Engineers proceeding to British Columbia.	800 0 0	September 25.
„ 25 -	Cox and Co., on account of Col. Moody.	Stores authorized to be purchased for the party of Royal Engineers, for service in British Columbia, which were not obtainable from the Tower.	3,000 0 0	October 29.
„ 28 -	Ditto -	Advance of 120 days' pay to the staff assistant-surgeon attached to the British Columbian expedition.	82 3 10	—
October 27 -	Ditto -	Expenses of stores for the British Columbian expedition.	3,400 0 0	October 29.
November 4 -	Ditto -	Passage of Mrs. Moody to British Columbia.	100 0 0	November 15.
„ 6 -	Capt. B. M. Parsons	Passage of Royal Engineers from Panama to San Francisco.	823 2 0	November 13.
„ 10 -	Cox and Co., on account of Col. Moody.	For passage of himself and two servants to British Columbia.	250 0 0	November 15.
„ 18 -	Ditto -	For travelling and incidental expenses while superintending the departure of the party of Royal Engineers to British Columbia.	58 5 4	December 4.
„ „	Ditto -	For forage purchased on account of British Columbia.	183 3 1	December 4.
December 8 -	Capt. B. M. Parsons	For the service of the Royal Engineers proceeding to Victoria, Vancouver's Island.	40 0 0	December 14.
„ 10 -	Cox and Co., on account of Capt. Grant.	To defray the expense of removing his family to British Columbia.	50 0 0	December 30.
„ 24 -	Capt. Parsons -	For the service of the detachment under his command proceeding to Vancouver's Island.	187 14 0	December 27.
1859. January 21 -	Ditto -	For the service of the Royal Engineers proceeding to British Columbia.	48 0 3	—
			£ 10,422 8 6	
Add—Advanced to Mr. Brew in Nova Scotia -			100 0 0	
			£ 10,522 8 6	

Paymaster-General's Office, Whitehall,
January 22, 1859.

STATEMENT of the ADVANCES which have been made to any Persons on account of BRITISH COLUMBIA out of Civil Contingencies.

BRITISH
COLUMBIA.

Date of Authority.	Name.	Service.	Amount.	When paid.
1858.			£ s. d.	
August 31 -	C. Brew - -	Advance of salary as Chief Inspector of Police in British Columbia, and expenses of the journey.	300 0 0	—
September 8 -	W. B. Begbie -	Passage allowance on appointment as Judge of British Columbia.	150 0 0	—
„ 29 -	J. Cooper - -	Passage allowance as Harbour Master at Esquimalt, Vancouver's Island.	150 0 0	—
November 5 -	P. Smith - -	Letters patent, under Great Seal, erecting the Colony of Columbia into a British colony.	39 17 4	—
December 7 -	S. Scott and Co. -	Expenses of Capt. Gosset's journey to British Columbia.	150 0 0	—
			£ 789 17 4	

No. 21.

No. 21.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 50.)

SIR, Downing Street, April 12, 1859.

I HAVE received your Despatch of the 7th February, No. 95,* reporting generally upon the state of British Columbia to that date. * Page 61.

The only remark I have to offer, beyond that of expressing my satisfaction at the favourable condition of affairs in the Colony, is to guard you against entertaining the impression that Her Majesty's Government can possibly countenance your plan, in itself I do not doubt judicious for local interests, of purchasing or building a steam vessel for the service of the Colonial Government, on account of which you propose to draw on the British Treasury should your own funds fail.

I would observe to you that in all my instructions, from the foundation of the Colony to the present moment, the principle on which I have proceeded, and which the constantly developing mineral wealth of British Columbia has so amply justified, has been that of insisting that the Colony should defray the expense of its own requirements. It would indeed be strange that this country should be called upon to render pecuniary assistance to supply the ever recurring wants of an infant settlement, which has been actually forced into existence through the ample supplies of gold afforded by the country it occupies. The pressing circumstances of the case have undoubtedly compelled Her Majesty's Government to advance funds for fitting out the party of Royal Engineers which was so early despatched to the Colony; but these advances must be repaid, and it should be amongst the earliest of your financial efforts to do so. I can therefore only say that if you have the means of establishing a Colonial vessel, I trust that she will render you valuable service, but that I can hold out no prospect of assisting you in her purchase or construction. I may indeed add that certainly until the obligation above referred to this country is discharged, the Lords Commissioners of the Treasury would not feel themselves at liberty to accept bills drawn on them for even temporary advances.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 22.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

No. 22

(No. 51.)

SIR, Downing Street, April 12, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 96,† of the 9th of February, transmitting a memorandum by Colonel Moody upon various subjects connected with his department, and the employment of the detachment of Royal Engineers.

L 3

BRITISH
COLUMBIA.

I have no doubt that the appointments recommended by Colonel Moody would prove valuable additions to the force under his command; but I am unable to sanction any increase in the expenditure of Colonel Moody's department, which might add to the sum which will have to be voted by Parliament as an advance for this service; and unless therefore you can assure me that this additional expense will be defrayed from the revenues of the Colony, I regret that I shall be compelled to withhold my sanction from the proposed appointments.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 23.

No. 23.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 61.)

SIR,

Downing Street, May 5, 1859.

* Page 61. I HAVE laid before the Queen your Despatch, No. 93,* of the 5th of February, expressing the desire that the name of the future capital of British Columbia should be selected by the Queen.

I am commanded to acquaint you that Her Majesty has been graciously pleased to decide that the capital of British Columbia shall be called "New Westminster."

You will therefore designate the city by that name, and will announce by Proclamation Her Majesty's decision to the inhabitants of the Colony.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 24.

No. 24.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 62.)

SIR,

Downing Street, May 7, 1859.

† Page 64. I HAVE had before me your Despatch, No. 104,† of the 19th of February, with a copy of a Proclamation which you had issued for regulating the disposal of the Crown Lands in British Columbia.

‡ Page 78. You will since have learned, from my Despatch, No. 16,‡ of the 7th of February last, the principles which it appeared to me desirable to follow on this subject. I am glad to perceive that the same views have very much prevailed in preparing the rules which you have announced, and I have no objection to their general tenor.

I trust, however, that on the receipt of my former Despatch you may have been led to reconsider the question of deferring payment of one moiety of the purchase money for two years. If ten shillings an acre be a higher price than can be reasonably expected to be paid in cash, on which point I should be quite prepared to defer to such judgment as you may form, I cannot but think that a smaller price with prompt payment would be preferable to incurring the numerous difficulties which invariably surround the attempt to enforce payment by instalments.

Under the present rules, if payment of the second moiety should be resisted, it would be extremely difficult to eject persons who by the very conditions of the case would have been in occupation of their lands for a period of two years. And again, if some of the landowners do pay their obligation, whilst others do not, a grievance arises out of the distinction. For these reasons, and for others adverted to in my previous Despatch, I shall still be glad that you should give this provision your reconsideration as to future sales. The terms of sales already effected cannot of course be altered.

The proposed reservation of one-fourth of the lots in the proposed capital for sale in the United Kingdom and the British Colonies appears to me decidedly objectionable. It can be of no use except to stimulate the acquisition of property by non-residents. This is one of the worst evils to which a new community is liable. The lots are bought by speculators who hold them on a chance of a rise in value, with the effect in the meanwhile of obstructing the progress of the town, interrupting its communications, and creating a nuisance to the holders of adjoining lots. This provision should be rescinded,

and if there be any places either in the United Kingdom or in other Colonies, in which you have already empowered any agents to sell specific lots, you should immediately recall those powers, but recognizing of course any sales effected before the receipt of such revocation.

BRITISH
COLUMBIA.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 25.

No. 25.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 63.)

SIR, Downing Street, May 11, 1859.

I HAVE received your Despatches, No. 76,* of the 15th of January, and No. 90,* of the 4th of February, on the subject of the erection of lighthouses in Fucas Straits and the approaches to Esquimalt Harbour.

* Pages 56 and
58.
Seven Enclo-
sures.

I transmit, for your information and guidance, the copies of a correspondence which has passed between the Admiralty, the Board of Trade, the Treasury, and this department on the subject.

You will perceive that the expense of the construction of the two lighthouses suggested by Captain Richards has been estimated by Captain Sullivan, of the Board of Trade, at 7,000*l.*; and in compliance with my recommendation, the Lords Commissioners of the Treasury have consented to advance this sum, on condition that one moiety of it shall be repaid by the Colonies of Vancouver's Island and British Columbia jointly.

The Board of Trade have been requested to send out immediately from this country the necessary apparatus, and to give you any advice or information in their power; and the Lords Commissioners of the Admiralty have been requested to instruct the naval officers on the spot to give you every assistance, by their advice or otherwise, to facilitate the work. But you will distinctly understand that the responsibility of the selection of proper sites and of the superintendence of the works rests with yourself, and I need not impress upon you the necessity of promptness and energy in carrying out an undertaking which is calculated so materially to promote the commercial progress of the two Colonies under your government.

With regard to the repayment by British Columbia and Vancouver's Island to the Imperial Treasury of the moiety of the advance of 7,000*l.*, I must leave it to you to decide the proportion of that sum which it would be equitable that each Colony should contribute, but I must instruct you that this debt should be paid within the earliest practicable period.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

Enclosure 1 in No. 25.

Enclosure 1 in
No. 25.

Office of Committee of Privy Council for Trade, Whitehall,
March 9, 1859.

SIR,

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 22nd January last, transmitting, for the consideration of this Committee a copy of a report from Captain Richards of Her Majesty's ship "Plumper," on the harbours of Vancouver's Island on the coast of British Columbia.

In reply, I am to request you to state to Secretary Sir E. B. Lytton, that as the lights in question do not appear to belong to the class of Imperial lights, it does not fall within the province of this department to form an opinion or to give any recommendation as to the propriety of their being established; I am, however, to transmit to you a copy of a memorandum which has been drawn up by Captain Sullivan, R.N., of this department, on the subject of these lights.

Herman Merivale, Esq., C.B.
&c. &c. &c.

I have, &c.
(Signed) JAMES BOOTH.

Sub-Enclosure.

Sub-Enclosure.

MEMORANDUM ON VANCOUVER'S ISLAND LIGHTS, by CAPT. SULLIVAN, R.N.

THOUGH these lights do not belong to the class of Imperial lights, and therefore do not come directly under the Board of Trade, the following remarks may be of assistance to the Secretary for the Colonies.

BRITISH
COLUMBIA.

The lights on the American shore having been completed, it is very desirable that those required on the Vancouver shore should also be erected as soon as possible.

The sites recommended by Captain Richards should be adopted. The two coast lights are equally important, and neither of them should be postponed. Hereafter another will be required, about midway between them, to make the coast quite safe. The harbour light is also very necessary.

I presume that the local government will have to be assisted with funds from the Imperial Government. Should this be decided on it will prevent further loss of time, as the lanterns and light apparatus, which have to be sent from England, could be ordered at once, and sent out in about three months from this.

Whether the funds are supplied from the Imperial Government or not, I should strongly advise that the works in the Colony should be entirely carried on with local means and material, as the plan of sending iron towers and buildings from England has been attended with very great expense. The lanterns and apparatus should alone be sent from this country, a drawing of the lantern and top of tower being sent immediately to the Colony for the information of the engineer who designs the towers.

As the two American lights nearly opposite the proposed positions are fixed lights, those on the Vancouver shore should be revolving. As the American light on Smith's Island is a revolving half minute light, the proposed light on Race Island should show a bright flash at intervals of ten seconds; that at Bonilla Point should have intervals of one minute. The height of the land at these positions is not mentioned. If high, a position should, if possible, be found not exceeding 150 feet above the sea, in order to guard against the light being obscured by fog. If low, the tower should be high enough to have the light at least 100 feet above the sea; about 150 feet being in either case the best height, if the land allows it.

The lights for both these positions should be of the first order, and would cost about 2,800*l.* for each lantern and apparatus, besides the freight out.

The cost of the work to be done in the Colony will depend much on the material at hand and the height of the towers; but if the assistance of the ships of war is given, the expense would be reduced greatly. Each lighthouse and dwelling may, I think, be estimated at from 3,000*l.* to 5,000*l.*, according to circumstances, or about 7,000*l.* for each, including lantern and apparatus.

The harbour light need only be a fixed light of the fourth order. The lantern, &c. would cost about 600*l.*, and the buildings, &c. perhaps 1,400*l.*

The cost of the three lights complete would, therefore, be about 16,000*l.*, but unfavourable circumstances as to material, labour, &c. might increase this to even 20,000*l.*, but that ought to be the outside.

A single lighthouse of iron sent to the Bahamas, with engineer and workmen from England, has cost nearly 20,000*l.*

(Signed) B. J. SULLIVAN.

March 7, 1859.

Enclosure 2 in
No. 25.

SIR,

Enclosure 2 in No. 25.

Downing Street, March 31, 1859.

* No. 76, Jan. 15.
No. 90, Feb. 4.

WITH reference to your letter of the 9th instant, I am directed by Secretary Sir E. Bulwer Lytton to transmit to you, for the consideration of the Lords of the Committee of Privy Council for Trade, the enclosed copies of two Despatches* from the Governor of British Columbia, calling attention to the urgent necessity for the erection of lighthouses in Fucas Straits and the approaches to the harbour of Esquimalt, and I am to request to be informed whether the Lords of the Committee would wish to offer any further observations upon this subject.

I am desired to request that you will state to their Lordships that this department cannot apply to Parliament for a grant of money for these necessary public works, nor has the Colony at present the means of paying for them. Under these circumstances, Sir E. Lytton would inquire whether their Lordships cannot include the required lighthouses within "the class of Imperial lights," and give the Colony some assistance towards their erection out of the funds placed at their Lordships' disposal for such services.

J. Booth, Esq.

I am, &c.
(Signed) H. MERIVALE.

Enclosure 3 in
No. 25.

SIR,

Enclosure 3 in No. 25.

Office of Committee of Privy Council for Trade, Whitehall,
April 7, 1859.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 31st ultimo, transmitting copies of two Despatches from the Governor of British Columbia, calling attention to the urgent necessity for the erection of lighthouses in Fucas Strait, and the approaches to the harbour of Esquimalt; and stating that as the Colonial Office cannot apply to Parliament for a grant of money for these necessary public works, and as the Colony has not at present the means of paying for them, Sir E. B. Lytton is desirous of being informed whether my Lords cannot include the required lighthouses within "the class of Imperial lights," and give the Colony some assistance towards their erection out of the funds placed at their disposal for such services.

In reply, my Lords direct me to state that, whilst there can be no doubt of the importance of the proposed lights, they are required for the trade of the Colony, and not, as in the case of the lights in the Bahamas and elsewhere, for the trade which merely passes the Colony.

Under these circumstances they are lights which should, my Lords think, if practicable, be erected and maintained by and at the cost of the Colony rather than the Home Government.

But even if the lights in question could be said to belong to the class of Imperial lights, *i.e.*, of lights which the Home Government is bound to erect or maintain for the purposes of the general passing trade, their Lordships would still have no funds at their disposal out of which to erect or maintain them.

The only funds out of which my Lords can pay the expenses of Colonial lights are, first, sums raised by levying tolls under the Act 18 & 19 Viet. c. 91.; and, secondly, sums voted by Parliament.

The present case does not appear to be one in which it is desirable to levy tolls under the Act in question, since the only trade which would pay the tolls is the trade of the Colony, and the Colony can itself, if so disposed, levy tolls on account of the lights in its own ports.

And as regards monies voted by Parliament, it is to be observed that the only votes are votes taken by the Treasury on the responsibility of this department for the services of special lighthouses mentioned in the votes.

If, notwithstanding the fact that these lights cannot be classed as Imperial lights, the circumstances of the Colony of British Columbia are such as to make it proper that these lights should be erected with Imperial instead of Colonial funds those circumstances are matters within the cognizance of the Colonial Office, rather than of this department; and if it is thought right that a vote for the purpose should be taken by the Treasury, the vote, should my Lords think, be taken on the responsibility of the Colonial Office, and the application to the Treasury for the purpose should be made by that office.

If it should be decided to take a vote for the purpose, my Lords will be glad to give their best advice and assistance in the matter.

At the same time they could not, without obtaining further local information, state with accuracy and certainty what the expense to be incurred in the Colony in erecting these lights will be.

A copy of a further memorandum by Captain Sullivan, R.N., on the character and probable cost of these lights is enclosed, for Sir E. B. Lytton's information.

Herman Merivale, Esq., C.B.

&c. &c. &c.

I have, &c.
(Signed) JAMES BOOTH.

Sub-Enclosure.

MEMORANDUM by Capt. SULLIVAN, R.N.

Sub-Enclosure.

THE importance of the two lights more particularly alluded to by Captain Richards cannot be overstated.

If these two lights only are proceeded with at present, and if a 2nd order light, 80 feet above the sea, is adopted for Race Rocks, as suggested by Captain Richards, the cost will be much less than I have before stated. I think the tower, &c., of Race Rocks could probably be built for 3,000*l.*, as it is now stated that materials are close at hand. A 2nd order flashing light apparatus would cost about 1,500*l.* to 1,700*l.*, so that the whole expense would probably not exceed 5,000*l.*

The harbour light would probably be about 2,000*l.* If a grant of 7,000*l.* were made by the Treasury, these two lights might be proceeded with at once. The Colony ought soon to be in a position to repay the cost, or a toll might be levied on the shipping entering ports in the Colony that would soon repay this small sum. The local government might undertake their maintenance.

I quite agree with Captain Richards in his suggestions, with the exception of his proposing a fixed light for Race Rocks. As the light on the American shore nearly opposite is fixed, this light should be flashing.

I should have preferred a 1st order light for Race Rocks, 100 feet high, but as the great difficulty is the expense, the 2nd order, 80 feet high, will reduce that considerably.

I would desire more especially to point out that the trade through this strait must be rapidly increasing, that in long winter nights it will be dangerous to navigate such a strait without these lights, that the light at Dungeness on the American shore will be of no use to vessels rounding Race Island bound either to Esquimalt or Victoria, and that the wreck of a single British vessel might entail on persons in this country a loss far exceeding the cost of these two lights, or even of the three lights proposed, while the value of each of the ships of war on the station is far greater.

(Signed) B. J. SULLIVAN.

Enclosure 4 in No. 25.

SIR,

Downing Street, April 29, 1859.

Enclosure 4 in
No. 25.

I AM directed by Secretary Sir E. B. Lytton to transmit to you, for the consideration of the Lords Commissioners of the Treasury, the enclosed copies of a correspondence which has passed between Governor Douglas, the Board of Trade, the Admiralty, and this department relative to the erection of lighthouses in Fucas Straits, and the approaches to Esquimalt Harbour, Vancouver's Island.

Sir Edward Lytton thinks that it is difficult to overrate the importance to the interests both of British Columbia and Vancouver's Island, and also of the British shipping repairing to those Colonies, of the construction of the lighthouses requisite for the safe navigation of these waters. Independently of the losses from shipwreck which, failing such protection, must fall on the British merchant, and on the country at large in the event of the loss of any ships of war, the amount of which would far exceed the cost of the lighthouses, the reputation for danger which the navigation would in consequence acquire would have the effect of deterring trade from resorting to the Colonies, and a serious injury would be inflicted on their commercial progress.

But although Sir Edward Lytton fully admits that Colonial as well as British interests are deeply concerned in the erection of the lighthouses, he fears that it would be impossible, at this early stage of the development of the resources of British Columbia and Vancouver's Island, to throw upon them the whole cost of their construction, while to delay the work until the Colonies are in a position to defray

BRITISH
COLUMBIA.

this expense, would be to incur the evils above adverted to, which promptness in carrying out this undertaking alone can obviate.

Under these circumstances, Sir E. Lytton would recommend to their Lordships, as a matter of national importance and concern, that application should be made to Parliament for a vote to establish the two lighthouses recommended by the Board of Trade in their letter of the 7th April. The whole estimated cost is 7,000*l*. Of this sum, Sir Edward is of opinion that one moiety could be defrayed by British Columbia and Vancouver's Island, leaving the other moiety to be defrayed from Imperial funds. The cost of maintaining the lights would be borne by the Colonies. But as the matter is very urgent, Sir Edward would strongly recommend that a vote should be taken for the whole amount, leaving the Colonial proportion of the cost to be repaid by the Colonial Governments. Should their Lordships accede to this proposal, Sir E. Lytton will at once direct the necessary instructions to Governor Douglas for the repayment to the Imperial exchequer of the sum thus advanced.

I am to request to be favoured with an early intimation of their Lordships' decision, as Sir E. Lytton would be glad to be able to communicate with Governor Douglas by the next mail, which leaves England on the 1st proximo.

G. A Hamilton, Esq.
&c. &c. &c.

I am &c.
(Signed) T. FREDK. ELLIOT.

Enclosure 5 in
No. 25.

Enclosure 5 in No. 25.

SIR,

Admiralty, March 28, 1859.

WITH reference to your letter of the 22nd of January, transmitting a copy of the report of Captain Richards on the harbours of Vancouver's Island and the coast of British Columbia, I am commanded by my Lords Commissioners of the Admiralty to request you will lay before Secretary Sir Bulwer Lytton the accompanying copy of a report from the Hydrographer in regard to the suggestions of Captain Richards for the lighting of Juan de Fuca Strait and the approach to Esquimalt Harbour.

The Under Secretary of State, Colonial Office.

I am, &c.
(Signed) H. CORRY.

Sub-Enclosure.

Sub-Enclosure.

LIGHTS required on VANCOUVER ISLAND.

WITH reference to that portion of Captain Richards' report on the harbours of Vancouver's Island, transmitted to the Admiralty from the Colonial Office, I entirely concur with him in the necessity of lighting the Juan de Fuca Strait and the approach to Esquimalt Harbour with the least possible delay.

The United States Government have placed lights on their own territory at Cape Classet or Flatery, New Dungeness, and on Smith or Blunt Island; the two former are *fixed* lights, the last is revolving every half minute. Captain Richards proposes to light the Vancouver shore of this strait by a light at Bonilla point (or possibly Cape Beale may be found a more advantageous position), by a light on the Race Islands, and by a harbour light at Esquimalt.

In these positions generally I entirely concur; the exact site should, I think, be left to those on the spot to determine. The only general principles to lay down are, that all the lights on the British shore of Fuca Strait should be quick revolving or flashing, to distinguish them from the fixed lights on the mainland of the United States territory; that they should be dioptic or by lenses; that they should not be placed at an elevation exceeding 150 feet above the level of the sea on account of the prevalence of fog, and that a fog bell should be attached to each lighthouse.

A bell buoy or a pilot vessel, showing a ball by day and a light by night, should also be stationed at the entrance of Fraser River; some small chain for mooring spar buoys in the river will also be required.

As it is important that these lights be shown as early as possible, and as they can have no means in the Colony of preparing lanterns, lighting apparatus, fog bells, &c., I submit for their Lordships' approval, that the Colonial Office be requested to communicate with the Board of Trade (should they not already have done so), asking them to give immediate orders to have the light apparatus, &c. put in hand, and to undertake the superintendence of it, as well as of the fog bells; and that drawings, showing the dimensions of the lanterns, be sent out to Vancouver Island, with instructions to the Governor to appoint a committee to decide on the exact sites for the lights, and at once to set about the erection of the lighthouses, preparatory to the arrival of the lanterns and light apparatus.

(Signed) JOHN WASHINGTON.
Hydrographer.

March 25, 1859.

I annex a chart of Vancouver Island, showing in red the proposed positions of the respective lighthouses.

The question of payment, whether by the Imperial Government or by the Colony, I would submit might stand over to be settled hereafter. The great point is, that no delay should occur in giving orders to prepare the light apparatus.

J. W.

Enclosure 6 in
No. 25.

Enclosure 6 in No. 25.

SIR,

Admiralty, April 20, 1859.

Sub-Enclosure.

I AM commanded by my Lords Commissioners of the Admiralty to forward to you, to be laid before Her Majesty's Principal Secretary of State for the Colonies, a copy of a letter from Rear-

Admiral Baynes, C.B., Commander-in-Chief in the Pacific, pointing out the pressing necessity for lights on Vancouver's Island, both at the Race Rocks and at the entrance of Esquimalt Harbour, in which recommendation their Lordships entirely concur.

BRITISH
COLUMBIA.

The Under Secretary of State, Colonial Office.

I am, &c.
(Signed) H. CORRY.

Sub-Enclosure.

Sub-Enclosure.

VANCOUVER ISLAND LIGHTHOUSES.

Ganges in Esquimalt Harbour, Vancouver Island,
November 2, 1858.

SIR,

I HAVE to request that you will bring to the notice of the Lords Commissioners of the Admiralty the great want which is felt by all vessels coming to Vancouver Island of a light on the north shore of the Straits of Juan de Fuca.

2nd. The Americans have three on the south side: one on Cape Flattery, or Classet; one on New Dungeness; and one on Smith's Island, at the entrance of the Straits of Rosario.

3rd. I would strongly recommend that a light be placed on the Race Islands or Rocks, and a harbour light at Esquimalt, which would enable vessels to enter the harbour at any time of night; at present it is almost impossible after dusk, the entrance being so difficult to distinguish.

4th. It would also be very desirable, though not of so much consequence, to have a light on Bonilla point, opposite Cape Flattery; this would render the navigation of the strait at all times easy.

I have, &c.
(Signed) R. LAMBT. BAYNES,
Rear-Admiral, Commander-in-Chief.

The Secretary of the Admiralty.

Enclosure 7 in No. 25.

Enclosure 7 in
No. 25.

SIR,

IN reply to Mr. Elliot's letter of the 29th ultimo, enclosing copies of a correspondence which has passed relative to the erection of lighthouses in Fucas Straits and the approaches to Esquimalt harbour, Vancouver's Island, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Sir E. Bulwer Lytton, that my Lords approve of measures being taken for sending out immediately from this country the apparatus required for the two lighthouses proposed to be erected.

They also approve of the sum of seven thousand pounds being inserted in the estimate for British Columbia, with the understanding that one-half of that sum will be hereafter repaid from Colonial funds, and that the contribution from Imperial funds towards the erection of the lighthouses will be limited to three thousand five hundred pounds.

Their Lordships are of opinion that it would be inexpedient to place any portion of this charge upon the general estimate for lighthouses abroad, and that it would be desirable to include it for the present with the other items which are to be repaid wholly or in part from the revenues of British Columbia and Vancouver's Island.

Adverting to the excessive expenditure already incurred in the attempt to erect a lighthouse on the Basses Rocks off the coast of Ceylon, attributable in a great degree to the want of a proper and clear understanding as to the parties upon whom devolved the responsibility of the work, my Lords request that Sir E. B. Lytton will make Governor Douglas fully aware that, although the Board of Trade will readily afford any advice or information, and will send out from this country the lighting apparatus, they decline undertaking any responsibility as to the selection of the site or the construction of the towers; and my Lords, in sanctioning the estimate of 7,000*l.*, trust that Sir E. B. Lytton will instruct Governor Douglas to consider himself responsible for the adoption of proper means for selecting the site, and having the construction of the work properly superintended.

H. Merivale, Esq.
&c. &c.

I am, &c.
(Signed) GEO. A. HAMILTON.

No. 26.

No. 26.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 64.)

SIR,

Downing Street, May 14, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 123,* of the 25th of March last, containing an account of the progress of British Columbia since the date of your last general report, and enclosing a letter from Mr. Downie, stating the result of explorations which he had carried on under your sanction in Jarvis' Inlet and Desolation Sound.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

Governor Douglas, C.B.
&c. &c.

BRITISH
COLUMBIA.
—
No. 27.

No. 27.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 67.)

SIR,

Downing Street, May 20, 1859.

* Page 68.

I HAVE to acknowledge the receipt of your Despatch, No. 114,* of the 14th of March, on the subject of the policy to be observed towards the Indian tribes, and containing your opinion as to the feasibility of locating the Indians in native villages, with a view to their protection and civilization.

I am glad to find that your sentiments respecting the treatment of the native races are so much in accordance with my own, and I trust that your endeavours to conciliate and promote the welfare of the Indians will be followed by all persons whom circumstances may bring into contact with them. But whilst making ample provision under the arrangements proposed for the future sustenance and improvement of the native tribes, you will, I am persuaded, bear in mind the importance of exercising due care in laying out and defining the several reserves, so as to avoid checking at a future day the progress of the white colonists.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 28.

No. 28.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 70.)

SIR,

Downing Street, May 23, 1859.

I HAVE to acknowledge the receipt of your private letter of the 10th February, in which you represent the inadequacy of the salary assigned to the office of Governor of British Columbia.

The frankness with which you have explained yourself in a matter of personal concern and of much delicacy is fully appreciated by me. It relieves me of the embarrassment which often attends communications upon such subjects, and enables me to address you with corresponding candour.

It is impossible for me to question for a moment the statements you make as to the expenses unavoidably devolving upon you as the Governor of Vancouver's Island and British Columbia, nor the present extreme dearness of every necessary of life in those Colonies. I yield, therefore, to the conviction that your emoluments have been fixed at too low a rate, and I am prepared to sanction an addition to your salary of 1,200*l.* out of the local receipts of the current year, provided that the Revenue of British Columbia amounts in the aggregate to not less than 50,000*l.* The numerous Despatches which I have addressed to you explaining the impossibility of imposing on this country any of the charges of Government for a Colony which has been forced into existence by its gold discoveries, relieve me of the task of repeating that I cannot depart from the principle by which, in this respect, I have been guided from the outset. You will accordingly distinctly understand, that whilst I am happy to meet your wishes to the extent above named, the addition in question can only be made out of Colonial resources, and on the condition stated.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 29.

No. 29.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 71.)

SIR,

Downing Street, May 24, 1859.

* Pages 19 and
59.

I HAVE to acknowledge the receipt of your Despatches, No. 9,* of the 3d of November last, and No. 92,* of the 4th of February, reporting the site which you had selected on the banks of the Fraser River for the capital and seaport of British Columbia.

I am glad to perceive that both Colonel Moody and yourself agree in opinion that the locality you have described is the one best adapted for the purpose. It appears to have been judiciously selected, and I have to approve the steps you have taken to survey and subdivide the site into building lots for sale.

I communicated your Despatch to the Lords Commissioners of the Admiralty and the Secretary of State for War, and I transmit to you, for your information, the copies of the letters which I have received from those departments in answer. I have to call your attention to the remarks offered by the Lords Commissioners of the Admiralty with regard to the necessity for stationing a pilot vessel at the entrance of the river, and to the selection of a port in the northern portion of the Colony.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

BRITISH
COLUMBIA.

Enclosure 1.

Enclosure 2.

Enclosure 1 in No. 29.

Enclosure 1 in
No. 29.

SIR,

HAVING laid before my Lords Commissioners of the Admiralty your letter of the 26th January last, with its enclosures from the Governor of British Columbia on the subject of the establishment of a seaport town for that Colony, on which Secretary Sir Edward Lytton wished to receive any observations which my Lords might have to offer on this important matter, I am commanded by their Lordships to acquaint you, for the information of Sir E. Lytton, that if Vancouver's Island be included, there is no doubt but that Esquimalt is the best harbour in the vicinity of the Colony of British Columbia, and that on its shores would be the site for a seaport town. The harbour is easy of access, it has sufficient depth of water for the largest ships, ample space, good shelter, fresh water, a large supply of timber fit for ships' masts and shipbuilding, and every requisite for a harbour, either naval or mercantile, and from its natural advantages must be eventually one of the great seaports of this part of the coast.

Vancouver's Island, however, is not at present within the limits of the Colony of British Columbia; and if a site for a seaport town within those limits is required, my Lords are not aware (until a more extended survey is made) that a better can be found, in the southern part of the Colony, than on the Fraser River, at the spot pointed out by Governor Douglas, just above Annacis Island of the charts, on the north bank of the stream, at about 14 nautical miles within the sand heads, and 10 miles below Fort Langley. It is here that the rising ground begins; the river is 400 yards broad, or wider and deeper than the Thames at London Bridge; the shore is bold, suitable for wharves and quays for vessels to lie alongside, and ships with a fair wind might reach so far without difficulty under sail. The site is well placed, locally, in a military point of view, and it has the river between it and the boundary line. It is, however, not far from the frontier.

The channel into the river, as far as is yet known, is rather tortuous; it is reported to have a depth of 18 feet at low water, with a six feet rise of tide, and it is not exposed to any very heavy sea. When Captain Richards, in Her Majesty's ship "Plumper," can find time to examine the bar and buoy off the channel, it may prove to be better.

Should this site be adopted, it would be absolutely necessary to station a pilot vessel at the entrance of the river, which should also be fitted to serve as a light-ship by night, and should sound a gong or ring a bell in foggy weather.

With respect to a site for a seaport town in the more northern portion of the Colony, it would be better that this question be postponed until Captain Richards has had an opportunity of examining the coast. There are numerous inlets, but at present the information is so limited that it would be unwise to hazard a conjecture as to the next best site.

Herman Merivale, Esq., C.B.
&c. &c. &c.

I have, &c.
(Signed) W. G. ROMAINE.

Enclosure 2 in No. 29.

Enclosure 2 in
No. 29.

SIR,

I AM directed by Secretary Major-General Peel to acknowledge the receipt of your letter of the 12th instant, covering the copy of a Despatch and of its enclosure from the Governor of British Columbia respecting a site for the seat of government in that Colony, and I am to observe that it is to be regretted Lieutenant-Governor Moody's report is unaccompanied by any plan or sketch, which if only sufficient to mark the locality in a very slight degree, would have afforded a more perfect understanding of the particulars adverted to; but so far, however, as can be judged from a written description, the conclusions in the report seem very sensible and well-judged.

The Under Secretary of State, Colonial Office.

I have, &c.
(Signed) B. HAWES.

STATING THE

I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the matter of the 1st inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I have also the honor to inform you that the same has been forwarded to the proper authorities for their consideration. I have also the honor to inform you that the same has been forwarded to the proper authorities for their consideration.

I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the matter of the 1st inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I have also the honor to inform you that the same has been forwarded to the proper authorities for their consideration.

LONDON:

Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty,
For Her Majesty's Stationery Office.

Printed by

I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the matter of the 1st inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I have also the honor to inform you that the same has been forwarded to the proper authorities for their consideration.

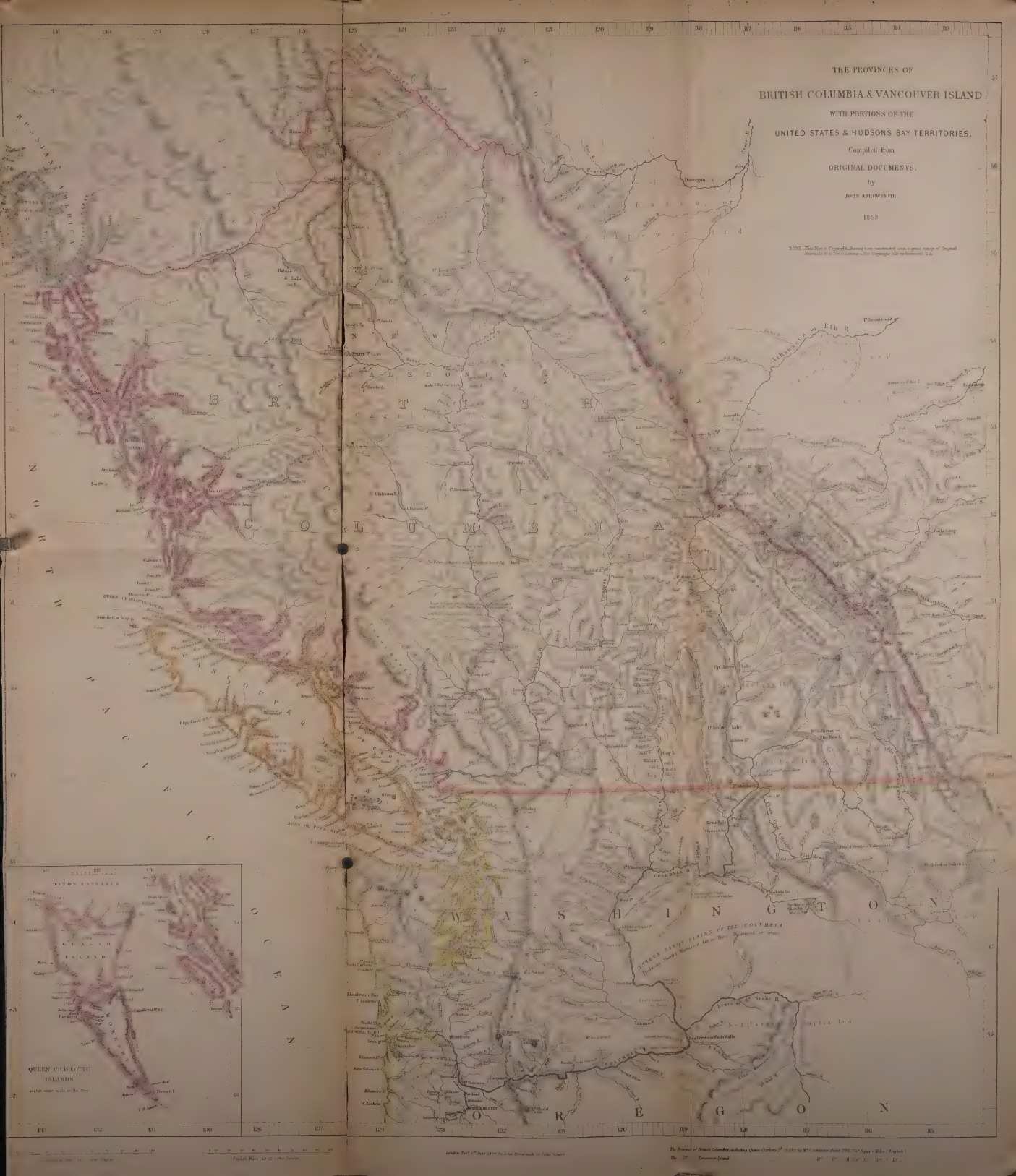
THE PROVINCES OF
BRITISH COLUMBIA & VANCOUVER ISLAND
WITH PORTIONS OF THE
UNITED STATES & HUDSON'S BAY TERRITORIES.

Compiled from
ORIGINAL DOCUMENTS.

by
JOHN ARBUTHNOTH.

1855

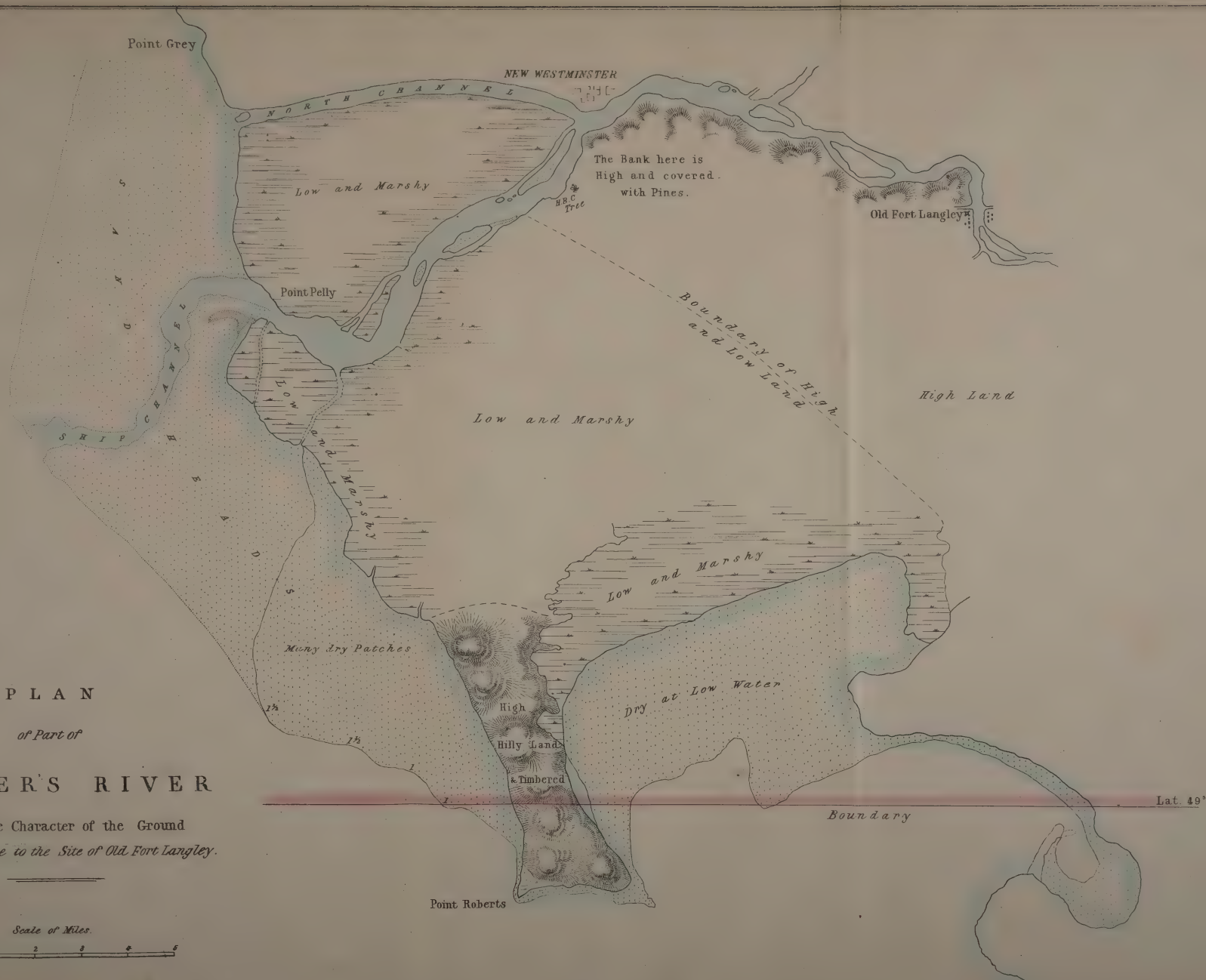
NOTE. This Map is Copyright, having been constructed upon a grant, under the Imperial Statute in that behalf made. The Copyright will be forsoever L.A.

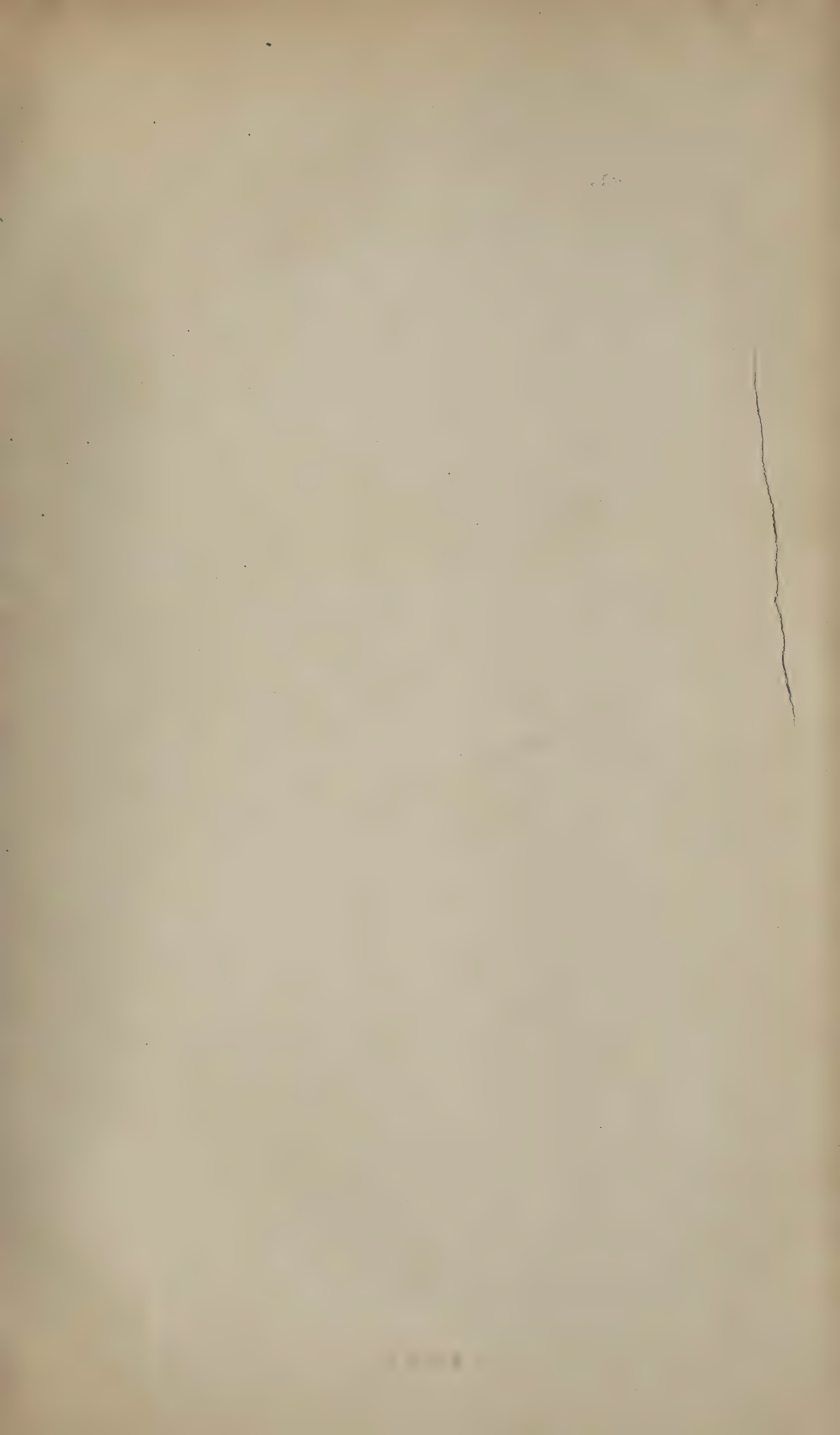


PLAN
of Part of
FRASER'S RIVER

Shewing the Character of the Ground
from the Entrance to the Site of Old Fort Langley.

Scale of Miles.





BRITISH COLUMBIA.

P A P E R S

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART II.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty,
12th August 1859.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1859.

BRITISH COLUMBIA.

Continued

FURTHER PAPERS

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART III.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty.
1860.

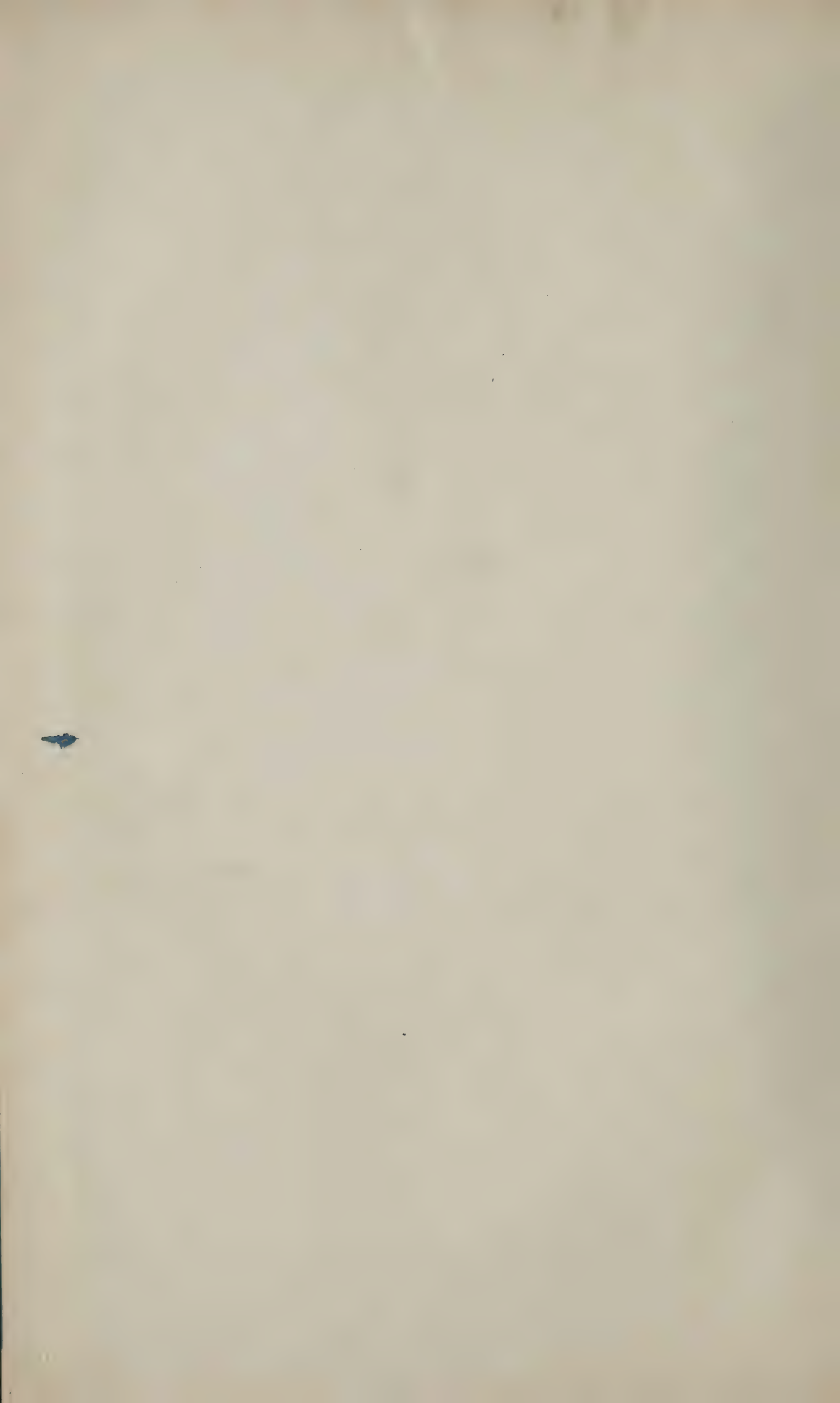


LONDON

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY,
FOR HER MAJESTY'S STATIONERY OFFICE.

1860.

[Price 1s. 3d.]



3
BRITISH COLUMBIA.

FURTHER PAPERS

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART III.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty.
1860.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY,
FOR HER MAJESTY'S STATIONERY OFFICE.

1860.

SCHEDULE.

DESPATCHES FROM THE GOVERNOR.

Number in Series.	Number and Date.	SUBJECT.	Page.
1	April 8, 1859 (No. 127.)	ABSTRACT OF REVENUE AND EXPENDITURE to the 23rd of February with remarks on the expediency of establishing an ASSAY OFFICE at Vancouvers' Island, for British Columbia - - - - -	1
2	April 11, 1859 (No. 129.)	CONSTRUCTION OF ROAD BY HARRISON'S RIVER. Expenses amounting 14,000 <i>l.</i> paid out of Local Revenue reported - - - - -	4
3	April 11, 1859 (No. 135.)	ASSAY OFFICE. Further as to the expediency of establishing an Assay Office - - - - -	4
4	April 12, 1859 (No. 136.)	GENERAL REPORT ON THE STATE OF THE COLONY	5
5	April 12, 1859 (No. 137.)	TRANSFER OF FOREIGN FOR BRITISH REGISTERS. For the navigation of Fraser's River - - - - -	7
6	April 25, 1859 (No. 141.)	EXPENSES OF THE COLONY Announces that the Colony will be able to meet its expenses and ultimately repay the advances made from Imperial Funds - - - - -	8
7	April 25, 1859 (No. 143.)	GENERAL REPORT ON THE STATE OF THE COLONY. Earnings of Miners at the Bars below Fort Yale - - -	9
8	May 8, 1859 - (No. 150.)	GENERAL REPORT. Announces the prosperous state of the Colony - - - - -	10
9	May 12, 1859 - (No. 153.)	OLD LANGLEY. Reasons for selecting it as the site of a commercial town - - - - -	11
10	May 14, 1859 - (No. 154.)	GOLD AND COPPER QUARTZ. Reports the existence of rich diggings in the upper country - - - - -	11
11	May 23, 1859 - (No. 156.)	LAND SALES. Observations relative to the system of Land Sales and Mining Licences - - - - -	12
12	May 25, 1859 - (No. 158.)	ESTABLISHMENT OF A MINT. Encloses a Report from Captain Gosset, the Treasurer - - - - -	13
13	June 6, 1859 - (No. 165.)	LAND SALES. Reporting the sale of town lots at Queensborough, and enclosing statement of amount realised - - -	16
14	June 8, 1859 - (No. 167.)	GENERAL REPORT ON THE STATE OF THE COLONY. ENCLOSURES REPORT BY MR. BEGBIE - - - - -	16
15	July 1, 1859 - (No. 175.)	ADMISSION OF BARRISTERS AND ATTORNEYS to practise in the Court - - - - -	25
16	July 2, 1859 - (No. 182.)	POLICE FORCE. Forwarding statement supplying the information called for by Despatch No. 48 of the 11th April 1859 - -	26
17	July 2, 1859 - (No. 183.)	EXPENSES OF THE COLONY. Acknowledging Despatch No. 50 in reference to the purchase of a Steam Boat, and to the Financial State of the Colony - - - - -	27

Number in Series.	Number and Date.	SUBJECT.	Page.
18	July 4, 1859 - (No. 185.)	GENERAL REPORT ON THE STATE OF THE COLONY. Declared value of Imports for the quarter ending 30th June amounts to \$247,755, and the Revenue derived from Customs Duties for the same period amounts to 4,133 <i>l</i> . 16 <i>s</i> . - -	28
19	July 6, 1859 - (No. 189.)	PROVISIONAL APPOINTMENTS. Return of enclosed -	31
20	July 23, 1859 - (No. 194.)	LIGHT HOUSES. Relative to the erection of, on points of Straits of Fuca - - - - -	31
21	August 16, 1859 (No. 201.)	REPORT OF SURVEY OF THE DISTRICTS BORDERING ON THE THOMPSON, FRASER, AND HARRISON RIVERS, BY LIEUT. RICHARD MAYNE, R.N. -	32
22	August 17, 1859 (No. 204.)	NEW WESTMINSTER. Enclosing Proclamation that the town heretofore known as Queensborough shall henceforth be called and known as "New Westminster" - - - -	39
23	August 18, 1859 (No. 206.)	RECONNAISSANCE OF THE HARRISON AND LILLOUET ROUTE TO THE UPPER FRASER BY LIEUT. W. S. PALMER, R.E. - - - - -	40
24	August 23, 1859 (No. 207.)	GENERAL REPORT. Satisfactory progress of the Colony. Money required for carrying on the waggon road from Douglas to the Upper Fraser; probably might be completed for 30,000 <i>l</i> . General prosperity of the gold-diggers. Reports the departure from Vancouver's Island of 100 gold diggers to explore Queen Charlotte's Island - - - - -	49
25	September 13, 1859 - (No. 218.)	PROCLAMATIONS enclosed as under : No. 7. Naturalization of Aliens. „ 8. Oaths Act, 1859. „ 9. Customs Duties on Imports. „ 10. Tonnage, Pilotage and Harbour Dues. „ 11. Do. do. Amendment. „ 12. Spirit Licences, &c. „ 13. Gold Fields Act and Regulations- - -	51
26	October 18, 1859 (No. 224.)	GENERAL REPORT ON THE CONDITION OF THE COLONY. Reports official tour to the towns of New Westminster, Langley, Douglas, Fort Hope and Yale, and an Inspection of the Mining Districts. The "Gold Fields' Act" met with the approval of the mining population. Imports for the quarter ending 30th September amounted to 207,848 dollars, and the Customs for the same period amounted to 5,202 <i>l</i> . - -	65
27	November 10, 1859 - (No. 231.)	SALE OF CROWN LANDS, relative to - - - -	69
28	November 16, 1859 - (No. 234.)	POSTAL COMMUNICATION BETWEEN SAN FRANCISCO AND VICTORIA, relative to - - - -	69
29	November 21, 1859 - (No. 235.)	GOLD EXPLORATIONS. REPORT BY MR. WM. DOWNIE of his journey to Queen Charlotte's Island, and thence by Fort Simpson to the interior of British Columbia. Gold in small quantities found on the Skeena River, also extensive beds of coal - - - - -	70
30	December 22, 1859 - (No. 239.)	PROCLAMATIONS transmitted. No. 14, "British Columbia Small Debts Act, 1859," and No. 15, "British Columbia Joint Stock Companies Act, 1859." - - - -	75
31	December 22, 1859 - (No. 240.)	PROCLAMATION transmitted. No. 16, imposing a charge of 12 <i>s</i> . per ton on all goods transported from New Westminster to any place in British Columbia - - - -	77
32	December 23, 1859 - (No. 241.)	RESERVES OF LAND FOR NAVAL PURPOSES in Burrard's Inlet. Transmitting letter from Colonel Moody on the subject -	78
33	January 9, 1860 (No. 1.)	REPORT ON THE COUNTRY BETWEEN FORT HOPE ON THE FRASER RIVER AND FORT COLVILLE ON THE COLUMBIA RIVER, BY LIEUTENANT H. SPENCER PALMER, R.E. Transmitted - - -	79

SCHEDULE.

v

Number in Series.	Number and Date.	SUBJECT.	Page.
34	January 12, 1860 - (No. 2.)	RETURN OF THE VALUE OF IMPORTS AND CUSTOMS RECEIPTS AT NEW WESTMINSTER FOR THE TWELVE MONTHS ENDING 31st DECEMBER 1859. Customs, 18,464 <i>l</i> . Imports, 177,219 <i>l</i> . 7 <i>s</i> . 5 <i>d</i> . - - -	89
35	January 12, 1860 - (No. 5.)	PROCLAMATION (No. 17.) REGULATING PRE-EMPTION OF AGRICULTURAL LAND. Transmitted - - -	90
36	January 24, 1860 - (No. 8.)	REPORT BY H. M. BALL, Esq., ON THE STATE AND PROSPECTS OF THE GOLD REGIONS SITUATED IN THE VALLEY OF FRASER'S RIVER AND ITS TRIBUTARY STREAMS, BETWEEN LYTTON AND QUESENEL RIVER. Transmitted - - -	92
37	January 24, 1860 - (No. 9.)	ASSAY OFFICE. Acknowledging Despatch No. 22, announcing the establishment of an Assay Office - - -	94
38	January 25, 1860 - (No. 10.)	ASSAY OFFICE. Acknowledging Despatch No. 27, on the same subject - - -	94
39	January 25, 1860 - (No. 11.)	ASSAY OFFICE. Acknowledging Despatch No. 32, in reference to its establishment - - -	94
40	January 26, 1860 -	RESIDENCE OF THE CIVIL OFFICERS OF THE GOVERNMENT OF BRITISH COLUMBIA. In reply to the Secretary of State's Despatch on this subject - - -	95
41	January 27, 1860 - (No. 15.)	PROCLAMATION (No. 18) authorizing the Chief Commissioner of Land and Works to sell town, suburban, and agricultural lands which have been offered for sale at public auction and remain unsold, at the upset price. Transmitted - - -	95

DESPATCHES FROM THE SECRETARY OF STATE.

1	June 3, 1859 - (No. 75.)	GENERAL REPORT ON THE STATE OF THE COLONY. Acknowledging Governor's Despatch No. 136 - - -	97
2	June 4, 1859 - (No. 76.)	CONSTRUCTION OF ROAD BY HARRISON'S RIVER. Acknowledging Governor's Despatch No. 129. Expresses satisfaction at the Revenue of the Colony being able to defray the entire cost - - -	97
3	June 30, 1859 - (No. 3.)	TRANSFER OF REGISTERS OF SHIPS NAVIGATING THE FRASER RIVER - - -	97
4	July 4, 1859 - (No. 5.)	MINERAL DISCOVERIES. Acknowledging Governor's Despatch No. 154, in which he reports the existence of rich diggings in the Upper Country, and the Discovery of GOLD AND COPPER QUARTZ - - -	98
5	July 28, 1859 - (No. 9.)	LAND SALES. Acknowledging Governor's Despatch No. 156, on this subject - - -	98
6	August 5, 1859 - (No. 10.)	DISPOSAL OF CRIMINALS. In reply to Governor's Despatch No. 39, requesting instructions on this subject - - -	98
7	August 29, 1859 - (No. 13.)	CONVEYANCE OF MAILS. Announces Decision of Her Majesty's Government as to - - -	98
8	September 5, 1859 - (No. 14.)	REGULATION OF TRADE WITH INDIANS. Encloses Imperial Act 22 & 23 Vict. c. 26, "to make further provisions for the Regulation of the Trade with the Indians, and for the Administration of Justice in the North-western Territories of America" - - -	99
9	September 5, 1859 - (No. 15.)	PROVISIONAL APPOINTMENTS. In reply to Governor's Despatch, No. 189. Instructing him to furnish a quarterly return of new appointments and changes in offices - - -	100
10	September 5, 1859 - (No. 16.)	GENERAL REPORT ON THE STATE OF THE COLONY, AND MR. JUSTICE BEGBIE'S REPORT OF HIS EXPEDITION. Acknowledging Governor's Despatch, No. 167, and thanking him for the information contained therein - - -	101

Number in Series.	Number and Date.	SUBJECT.	Page.
11	September 5, 1859 -	RESIDENCE OF CIVIL OFFICERS OF THE GOVERNMENT OF BRITISH COLUMBIA. Requiring the Civil Servants to reside in the Colony - - - -	101
12	September 19, 1859 - (No. 22.)	ESTABLISHMENT OF AN ASSAY OFFICE AND REFINERY. Announces that Her Majesty's Government have given their sanction to this measure - - - -	101
13	September 23, 1859 - (No. 24.)	MILITARY EXPENDITURE. Relative to the proportions to be borne respectively by the Imperial and Colonial Governments	102
14	September 29, 1859 - (No. 27.)	ESTABLISHMENT OF AN ASSAY OFFICE AND REFINERY. Transmitting copy of a correspondence with the Treasury relative to the arrangements for carrying this measure into operation - - - -	102
15	October 20, 1859 - (No. 29.)	RECONNAISSANCE OF THE HARRISON AND LILLOVET ROUTE TO THE UPPER FRASER, BY LIEUTENANT PALMER, R.E. Acknowledging Governor's Despatch transmitting it - - - -	104
16	October 20, 1859 - (No. 30.)	REPORT OF SURVEY OF THE DISTRICTS BORDERING ON THE THOMPSON, FRASER AND HARRISON RIVERS, BY LIEUTENANT RICHARD MAYNE, R.N., Acknowledging Governor's Despatch transmitting the Report -	104
17	October 21, 1859 - (No. 31.)	GUN BOATS. Stating that two gun boats had been despatched to British Columbia - - - -	104
18	October 21, 1859 - (No. 32.)	ASSAY OFFICE AND REFINERY. Informing the Governor that the Master of the Mint had been authorized to carry into effect the arrangements which have been proposed for the establishment of an Assay Office and Refinery - - -	105
19	October 28, 1859 - (No. 33.)	EXPENSES OF THE COLONY. Acknowledges Governor's Despatch, No. 207, containing a GENERAL REPORT ON THE STATE OF THE COLONY, and with reference to a suggestion therein for pecuniary assistance in the construction of Roads, again impresses the necessity of the Colony providing the funds for such purposes - - - -	105
20	January 7, 1860 - (No. 3.)	DISPOSAL OF CROWN LANDS. Enclosing a proposed scheme by Captain Clarke for the disposal of Crown Lands in British Columbia, and requesting the Governor to report on its applicability to the circumstances of the Colony - - -	106
21	February 18, 1860 - (No. 9.)	CROWN LANDS. Relative to the disposal of - - -	108
22	February 28, 1860 - (No. 12.)	RESERVE OF LAND FOR NAVAL PURPOSES. Acknowledging Governor's Despatch, No. 241, on this subject -	108
23	April 16, 1860 - (No. 17.)	PROCLAMATIONS, acknowledging receipt of. No. 7. Naturalization of Aliens. „ 8. Oaths Act, 1859. „ 9. Custom Duties on Imports. „ 10. Tonnage, Pilotage, and Harbour Dues. „ 11. Do. do. Amendment. „ 12. Spirit Licences. „ 13. Gold Field Act and Regulations. Stating that a separate Despatch will be addressed to the Governor, respecting the Aliens Act, and that Her Majesty had sanctioned the others - - - -	109
24	April 16, 1860 - (No. 18.)	PROCLAMATION, NATURALIZATION OF ALIENS. Relating to - - - -	109

PAPERS

RELATIVE TO

THE AFFAIRS OF BRITISH COLUMBIA.

PART III.

Despatches from Governor Douglas.

No. 1.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart, M.P.

BRITISH
COLUMBIA.
No. 1.

(No. 127.)

Victoria, Vancouver's Island, April 8, 1859.

(Received May 28, 1859.)

(Answered No. 22, Sept. 19, 1859, page 101.)

SIR,

I HAVE the honour of transmitting herewith for your information, an Abstract of the Revenue and Expenditure of the Colony of British Columbia, taken from the accounts of that Colony, which have been made up in a clear and intelligible form, to the 23rd day of February 1859.

2. Those books comprise all our financial transactions up to that period. It will be observed, that the income derived from the various sources therein shown, amounts to the sum of 22,924*l.* 1*s.* 5*d.*, and the expenditure for the same period to 25,059*l.* 6*s.* 4*d.*, exceeding the income by the sum of 2,135*l.* 4*s.* 11*d.*

3. To meet that deficiency there is on the other hand the sum of 10,284*l.* 19*s.* 9*d.* remaining, partly in cash at Langley, and partly due on the sale of town lots, at the same place; a small sum invested in Government buildings, and in aid of the Harrison's river road, which leaves a balance on that date exceeding 8,000*l.* in favour of the Colony.

Some petty balances may remain outstanding at Fort Hope, Yale, and Lytton, which were not received in time to be incorporated with those accounts; but such sums will be paid out of the current revenues of those districts.

At the towns of Lytton, Hope, and Yale, which were surveyed and laid out into building lots last autumn, no sales have yet been made, but instructions have been conveyed to the Commissioner of Lands and Works, to bring those lands into the market with as little delay as may be convenient.

4. The construction of the Harrison or Lillooet road has been the great source of outlay this season, that work having cost the Colony nearly 14,000*l.*

5. Large as the outlay may appear, it very inadequately represents the value of this important public work, which has removed the difficulty of access, and the great impediment to the development of the mineral regions of British Columbia.

6. The outlay for all other objects connected with the Colony, including 2,300*l.* applied in defraying the extra pay allowed, for one quarter, to the officers and ships companies of Her Majesty's ships "Satellite" and "Plumper" forms the moderate sum of 11,059*l.*

BRITISH
COLUMBIA.

7. The removal of the intended sea port town, from Langley to Queensborough, has caused a depression in the Public Revenue, arising from sales of town lands, which ceased entirely at the former place, with the first announcement of the proposed change in the seat of Government. Colonel Moody reports that it will be several weeks before the survey of the site of Queensborough is completed, and that no country land will be surveyed for sale before the first week in May.

8. Those sources of revenue are therefore for the present altogether unproductive, though the current expenses of the Colony are somewhat increased by the addition of civil assistants to expedite the survey of country lands, and to increase the means and efficiency of the Department of Lands and Works, and to render it productive of revenue.

9. The Colonial Treasurer advocates stamp duties as a source of revenue "in combination with a self paying registration of assurances affecting real property," and I have desired him to prepare a report on the best means of carrying those views into effect. If such duties be confined even to conveyances of real estate, they will be productive of considerable revenue.

10. The want of an Assay Office in the Colony is felt as a public inconvenience, and is no doubt highly detrimental to the commercial interests of the country. There being at present no means here of ascertaining the true commercial value of gold dust, the merchant to save himself from loss will only purchase it at a low rate, which the miner will not accept, or the gold dust is retained in the merchant's hands in deposit, until samples of it are sent and tested at San Francisco. Hundred of miners worn out with the expense and delay so occasioned, fly in disgust with their gold to San Francisco.

11. An Assay Office established here, the evil would cease to operate, and the gold would remain in the country.

12. The establishment of an Assay Office would otherwise I believe prove of signal advantage to the public revenue, inasmuch as it would give facilities for levying an export duty on gold. That is now impossible, and will be, so long as the miner cannot get a fair price for his gold in this country, and in consequence keeps it in his own hands. If collected at all, in those circumstances the duty would have to be wrung from each individual miner, and they, to elude the payment, would cross the frontier and fly with their treasures into the United States.

13. The Assay Office would provide a remedy for the evil. Every man might, through its aid, learn from an official source the true value of any gold in his possession, and either spend or exchange it for coin in the country. This would throw the export of gold into the hands of large dealers, who, having no inducement to smuggle equal to the risk, would export through the lawful channel, paying the duty, which they in turn would take care to levy on the miner, by deducting it from the price paid.

14. An export duty might then be imposed with advantage, and be found easy and cheap of collection. The other features of the Australian system of taxation on miners might also be adopted and made applicable to the circumstances of British Columbia, in which case the licence fee on miners, so objectionable on account of the expense and affrays produced in its collection, would cease to be enforced.

15. I have only further to state in reference to the Abstract of British Columbia Accounts forwarded, that the Treasurer, Captain Gosset, has now the sole and entire arrangement of the Financial Department, over which I have hitherto had to maintain a rigid control.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart, M.P.
&c. &c. &c.

(Signed) JAMES DOUGLAS.

Enclosure in No. 1.
The COLONY of BRITISH COLUMBIA for the Period ending February 23, 1859.

Dr.	For sums disbursed on the following accounts, viz. :—	By income derived from the following sources, viz. :—	Ca.
To mining licence account, for the collection of licences	- £1,246 13 3	By mining licence account, for collections on this account	- £6,522 9 11
To British Columbia account, for general expenses, and the supplying of exploring expeditions, &c.	- 1,291 1 9	By customs duty account, for amount of duties collected	- 5,398 5 1
To Fort Hope district account, for expenses of transport of police and prisoners	- 50 0 0	By Harrison's River Road account, for amount of deposits made by men employed on the road	- 2,609 7 6
To Langley town land sales account, for building purposes	- 80 17 5	By British Columbia account, for amount of head money	- 1,417 2 8
To Langley spirit licence account, for printing expenses	- 2 10 0	By Fort Hope district account, for amount received from general revenue	- 224 19 0
To customs duty account, for expenses of collecting revenue, &c.	- 1,748 9 9	By Langley town land sales account, for amount of purchase money of lots sold at Langley	- 6,651 17 3
To Harrison's River Road account, for the supply and transport of provisions to road makers, for compensation and general expenses	- 14,674 5 2	By Langley spirit licences account, for amount of one licence granted	- 100 0 0
To Public Works account, for boats and advertising	- 9 3 4	By balance carried down	- 2,135 4 11
To Fort Yale district account, for transport of police and prisoners, for building materials, salaries, and general expenses	- 608 7 8	Showing an excess of expenditure over income	- £2,135 4 11
To Fort Dallas district account, for general and police expenses, by order of His Excellency the Governor	- 189 15 4	Of this excess of expenditure there is due :—	
To H.M.S. "Satellite," for extra pay	- 1,558 0 10	To Hudson's Bay Company's account	- £1,807 19 1
To H.M.S. "Plumper," for extra pay	- 745 14 2	To Vancouver coal mining establishment	- 142 0 10
To Port Douglas district account, for Commissioner's order	- 51 3 11	To Victoria Land Office account	- 185 5 0
To Port Douglas surveying department account, for expenses of surveying	- 350 6 10		- £2,135 4 11
To Langley surveying department account, for transport of police and prisoners	- 9 7 6		
To revenue account, for pay to crews of brigantine "Recovery," and of H.M.S. "Satellite," and general expenses	- 585 8 4		
To Fort Hope road account, for payment of labour, &c.	- 223 13 8		
To Government House account, for expenses incurred by the Royal Engineers in erecting	- 196 19 0		
To Langley barracks account, residence for Lieut.-Governor Moody, for barracks, and	- 725 2 3		
To lands and works account, general expenses	- 5 0 0		
To charges account, for sundry small expenses	- 3 19 2		
To police account, for passage of officers	- 8 6 8		
To Coast Guard service account, for incidental expenses on revenue account	- 20 16 8		
To special survey account, for expenses incurred on this account by Captain Parsons	- 22 0 0		
To judiciary account, for advertising	- 1 16 5		
To expedition under Lieut.-Governor Moody to British Columbia	- 504 10 7		
To Secretary's office account, for stationery and a safe	- 16 13 4		
To magistrate's department account (Langley), for payment of salaries	- 104 3 4		
To Gold Commissioner's account, for analysis of ores, &c.	- 4 3 4		
To Hon. M. B. Begbie, for payment on account of salary	- 20 16 8		
	- £25,059 6 4		- £25,059 6 4
To balance brought down, against the Colony of British Columbia	- £2,135 4 11	Against which balance there appear the following assets, viz. :—	
		At Fort Yale, one court house, one prison, Gold Commissioner's office, and Crown Commissioner's office, valued at about —, and sale of town land lots, not yet effected	- £575 0 0
		At Fort Hope, court house, post office, and prison, valued at about —, and sale of town land lots, not yet effected	- 250 0 0
		At Port Douglas, sale of town land lots, not yet effected	- 429 0 10
		At Langley, money in the hands of J. M. Yale	- 21 5 0
		" " W. H. Bevis	- 102
		" " balance due on Langley town land sale	- 40,259 ⁴⁰ / ₁₀₀ = 8,387 6 0
		From Harrison's River Road account, the sum of \$1,512 ⁴⁰ / ₁₀₀ , advanced to G. B. Wright on account of transport of provisions, payable in 60 days from February 15th, the payment secured by note and mortgage, and bearing interest at the rate of 2 per cent. per month.	- 315 2 1
		From Harrison's River Road account, the sum of \$1,475, due from W. Doscher, at Port Douglas for the payment of mules and wagons sold to him, the payment secured by a bill of sale of the mules and wagons	- 307 5 10
			- £10,284 19 9

No. 2.

No. 2.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Victoria, Vancouver's Island, April 11, 1859.

(Received May 28, 1859.)

(No. 129.)

(Answered No. 76, June 4, 1859, page 97.)

SIR,

* Vide papers presented August 1859, page 77.

I HAVE duly received your Despatch of the 22nd January 1859, No. 7,* conveying to me your approval of the construction of the route by Harrison's River, and acquainting me that you look to the payment of all expenses connected with it out of local, and not from Imperial, funds.

2. The gratifying expression of your approval in this matter is very acceptable to me, and I am happy to be able to state that we have paid the whole expenses of the road, amounting to 14,000*l.*, out of the local revenue. The undertaking has been a severe tax upon our small resources, but the work was indispensable for the development of the country, and it will in the end greatly benefit the revenue by the increase of the imports which it is the means of introducing into the interior.

I have, &c.

The Right Hon. Sir. E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
 &c. &c. &c. Governor

No. 3.

No. 3.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart, M.P.

(No. 135.)

Victoria, Vancouver's Island, April 11, 1859.

(Received May 28, 1859.)

SIR,

(Answered No. 22, Sept. 19, 1859, page 101.)

* Page 1.

IN continuation of the remarks on the expediency of establishing an Assay Office in this Colony, which I was unable to continue in my Despatch No. 127* of the 8th instant, in consequence of the reported arrival of the mail steamer from San Francisco, which remains here at each visit only a few hours.

2. I have further to remark that we have attempted to induce the owners (not Americans) of *private* Assay Offices in San Francisco to establish branches of their houses at Victoria, but without success. The objections made by them were to this effect:

That Her Majesty's Government would at no distant date probably establish a mint at Victoria, and their business would therefore then cease.

That being foreigners they could not expect the same privileges as are granted to English houses taking up the assaying business.

Their chief reason however was this, that they had already the whole assaying business of British Columbia in their hands, as nearly all the gold produce of the Colony is now carried to San Francisco, and they had therefore nothing to gain by extending their business to Victoria, or to compensate for the certain outlay of capital which the process would involve.

3. I do not know what steps can be taken by Her Majesty's Government to deliver the Colony from so great an evil as is the present drain of its resources towards San Francisco, and the loss and delay to which miners are exposed in selling gold here ; but I clearly see the advantage of a direct trade between the Mother Country and British Columbia, and I am of opinion that the establishment of an Assay Office in Victoria would be an important step in advance.

4. Having an Assay Office here, the miner would only have to take his gold there, have it assayed, and receive value for it; or if he preferred it, have it run into bars at a very trifling expense, and then he could dispose of his bars, which would bear the fineness and weight upon them by mint mark, just as readily as he could of coin, or he could convert them into coin; in fact, bars would be currency.

5. An Assay Office must, however, be the property either of the Government, to give it the stamp of character unsuspected, or it must be owned by a private party possessed of capital, in high credit, good mercantile reputation for probity, and well known to the mining community. This last quality above all is requisite.

6. As no private person on the Pacific coast who could fulfil the chief conditions, which I consider indispensable to success, namely public confidence, is disposed to come here, the only prudent and efficient plan is to establish a Government Assay Office. It should be on a large scale, for there will be abundance of work.

7. The expense would be small, involving little more than the erection of a house, a fire-brick furnace, a few crucibles which could, no doubt, be made here, a good assayer, and a few assistants. The process is simple to a degree, and the whole expense of the plant of an Assay Office would not exceed 600/. Its operation, judging from the experience of the San Francisco private assayers, who have all become wealthy, would leave a profit. I therefore believe that a well managed Government Assay Office would, at least, pay its own expenses.

8. Its advantages to the Colony would be incalculable. Keeping the gold circulating in the country, the status it would give the place, the confidence it would inspire abroad, the benefits to the miners, the contentment it would diffuse amongst them, by the certainty and fairness and celerity of its operations, and its security, are amongst the advantages of such an establishment.

9. A mint would certainly be more efficient, but that is an expensive establishment, though if Her Majesty's Government were to set one up, I think the circumstances of the country would justify the outlay. It would also require time to complete and perfect its details, but the establishment of an Assay Office involves little delay, and a very moderate expense, therefore I beg to recommend the plan to the favourable consideration of Her Majesty's Government.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart, M.P.
&c. &c. &c.

No. 4.

No. 4.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 136.)

Victoria, Vancouver's Island, April 12, 1859.

(Received May 28, 1859.)

(Answered No. 75, June 3, 1859, page 97.)

Sir,

SINCE the last report I had the honour to make on the state of the country, contained in my Despatch of the 25th of March, No. 123,* I have received various communications from British Columbia, the substance of which I will proceed to impart for your information.

2. Judge Begbie is now on circuit in British Columbia, having successively opened court at Langley, Fort Hope, and Yale, and by last accounts was proceeding to "Lytton" with a similar object in view.

3. The docket did not contain many cases, and was soon disposed of. Two cases of shooting were tried at Langley, but the jury did not convict capitally in either of the cases.

4. The last reports from Mr. Commissioner Brew are dated from Port Yale, 2nd of April. That officer has not been successful in collecting the miners' licence fee. The following is an extract from his letter on that subject:—

"During the last week we collected over 150 dollars from miners about Fort Yale. Some men paid the tax most willingly, but from the majority of the miners it was extracted with difficulty and after great grumbling. I intend to make an excursion towards Fort Hope next week to settle some difficulties about ditches, and I shall avail myself of the opportunity to have the miners' tax collected from parties who on a former occasion refused to pay. Mr. Justice Smith, from Fort Hope, was at Fort Yale yesterday. He informs me that he hopes to be able to collect the tax from the greater number of miners about Fort Hope.

"On the 30th ult. I went in a canoe up the river some distance to visit the Bars and ascertain if any mining was going on. The snow was too deep on the ground to admit of sluicing, and, except at one place, where there was a hand machine for lifting water, all the miners were idle."

* Vide papers
presented
August 1859,
page 70.

BRITISH
COLUMBIA.

5. It may be observed in apology for Mr. Brew's want of success in collecting revenue, that the miners have not yet fairly got to work, but he will no doubt insist on a strict compliance with the established mining regulations as soon as the weather becomes genial and more favourable for mining pursuits.

6. The migration of miners to the upper districts of Fraser's River continues unabated. 300 boats, carrying on an average five white men each, had passed Fort Yale previously to the 24th of March, and a greater number of men are reported to have gone towards the same quarter by land, having packed their provisions either on mules or on men's backs to the various diggings, giving thus a collective number of about 3,000 men.

7. Favourable reports continue to arrive from Bridge River. It had just come to Mr. Brew's knowledge that two men had arrived at Fort Yale with 600 ounces of gold dust, which they had washed out during the winter at Boston Bar, 40 miles beyond Fort Yale.

8. A nugget, weighing 3 ounces less 2 pennyweights, was lately found at Bridge River, which I herewith forward for your inspection, on account of its being the largest piece of gold yet found in British Columbia.

9. I forward a copy of a communication from Mr. Assistant Commissioner Travaillot, dated "Lytton," 16th March. The country was perfectly quiet, and the Commissioner was engaged in erecting a small building to serve as Government House, at a cost of 2,100 dollars, 1,000 dollars of which he had already paid out of the proceeds of local revenue, and the balance he would be in funds to meet about the 1st of April.

10. The numbers of the "Victoria Gazette"* herewith forwarded will give some additional intelligence, which may be interesting.

* Nos. 38 to 44
from March 29
to April 12,
1859.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Encl. in No. 4.

Enclosure in No. 4.

COPY of Letter from O. T. TRAVAILLOT, Esq., Assistant Commissioner, dated Lytton, British Columbia, March 16, 1859, to Governor DOUGLAS.

MONSIEUR,

J'AI eu l'honneur de recevoir avant-hier au soir les ordres de votre Excellence, en date du 14 Janvier, ainsi que vos Proclamations du 8^e et 14^e Fevrier de cette année. Conformément à vos ordres du 10 Janvier et à sa requête j'ai adressé mes rapports directement à Monsieur Brew, et me prépare à lui transmettre pour la fin de ce mois un compte rendu général de finances de ce district.

Bien que vos ordres soient de correspondre directement avec le Chef Commissaire, je pense néanmoins, Monseigneur, qu'il est de mon devoir de vous informer de la direction que prennent les affaires publiques, afin que votre Excellence puisse donner des ordres pour établir et maintenir partout le bon ordre.

Suivant toutes les apparences, le mouvement de l'émigration se fera dans les hauts de la Rivière Fraser; les mines du canot sont réputées très riches, et depuis deux semaines que les voyages ont commencé, une grande quantité de mineurs s'est portée sur ce point. La Rivière Salloet* n'est pas gardée, et par cette voie doivent passer les approvisionnements de toute espèce. Le Trésor Public peut-être fusé d'un grand revenu en ne surveillant pas l'embouchure de cette rivière, qui va devenir la clef du Haut Fraser. Il serait donc désirable d'y établir au plus vite un poste, de même, un juge de paix pour "Fontaine."

Le ferry aux fourches de Thompson ne pourra être completé que le 1^{re} Mai, par suite du malheur survenu au batelier W. Clarke, qui s'est noyé le 9 de ce mois onze milles plus bas que Boston Bar. Celui de Salloet est établi à French Bar à mi-distance des deux rivières Salloet* et Bridge. Un pont a été jeté sur cette dernière. J'ai eu l'honneur de vous adresser, par l'intermédiaire de Mr. Brew, une copie du contrat qui doit être sanctionné par votre Excellence.

Je fais bâtir, d'après les ordres de Monsieur le Colonel Moody, une maison* qui passe pour la meilleure et la plus noble de toute la colonie; elle coûtera \$2,100. J'en ai déjà payé \$1,000, et suis prêt à payer la balance lorsque la maison sera achevée, c'est-à-dire, fin Mars.

Je me suis adressé à Mr. Brew pour avoir des licences de mineurs, la saison s'ouvre et de celles que j'ai reçu de votre Excellence à Fort Langley il ne me reste que 150, qui ne dureront pas longtemps, vu que dans deux jours je serai en route pour collecter,

J'ai l'honneur, &c.

(Signed) O. T. TRAVAILLOT, Assistant Commissioner.

* Harrisons
River.

* Seaton River.

* Government
House.

No. 5.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

BRITISH
COLUMBIA.

No. 5.

(No. 137.)

Victoria, Vancouver's Island, April 12, 1859.

(Received May 28, 1859.)

(Answered No. 3, June 30, 1859, page 97.)

SIR,

I REGRET to state that no small amount of injury has undoubtedly been caused to the colony of British Columbia by the owners of the steam boats which are now and have been for some time past running on Fraser's River. These individuals are citizens of the United States, and they oppress alike the miner and the merchant by their exorbitant charges for passage and freight.

2. The rate now levied for the transport of a ton of goods from this place to Fort Hope is 72 dollars, or more than 14*l.* sterling. The charge made last summer, when I possessed the power of regulating prices, was 25 dollars, or 5*l.* a ton from this place to Fort Yale, which is fifteen miles of difficult navigation beyond Fort Hope, and large profits were made at that rate. I fear the owners are now combining to perpetuate the evil by taking out British registers for their vessels, by means of transfers to British subjects, which there is every reason to believe are only nominal and fictitious, although, all the requirements of the law being complied with, it is difficult to establish legal proof of that fact.

3. In this part of the world competition is not allowed to produce its legitimate effects; it is the practice to buy up every rival line, or to pay them handsomely for allowing their ships to lie idle, and the public are charged a higher rate to cover the additional expense which their oppressions have incurred. The American Pacific Mail Steam Ship Company is a notable example of this method of proceeding, this company having hitherto bought off every line established to compete with it. I will instance another case. Last year a steamboat called the "Maria" was started on the Sacramento River in opposition to the boats of, I believe, the California Steam Navigation Company. She was bought off by that company. Her proprietor immediately brought her up to this place to run on Fraser's River, buying off another boat which he on arrival found on the river, and sending this second boat down to San Francisco to commence another opposition on the Sacramento River in order to be again bought off.

4. The Victoria Steam Navigation Company, a British company, who have one large river steamer employed between this port and Langley, are now engaged in building a smaller vessel for the higher navigation of Fraser's River. The directors of this company lately applied to me for the protection of Government against the machinations of these foreign speculators. I commented upon the extravagant rate of freight, and suggested a large reduction as the best means of meeting their competitors, whereupon the directors offered to provide vessels in sufficient numbers to perform the whole transport business on Fraser's River at the rate of 25 dollars, or 5*l.* sterling a ton, provided they were secured against these, in reality American owners of British registered vessels, in the exclusive privilege of navigating the river until the end of next September. Monopoly would in such a case be a public gain, but being illegal, I could not entertain the proposal, though I cannot but regret that, under such circumstances, I have no power by which I could protect the public interest.

5. The directors further assured me that they had been invited by the American owners to join in the combination for maintaining the high rates of freight; but as the directors declined making the statement in writing, no legal use could be made of it.

6. The Government legal authorities here are of opinion that we have no power to refuse the change of register from American to British, even for vessels employed in British inland waters.

7. I transmit a copy of two letters from the secretary of the before-mentioned company, and as the matter is one of much importance to the interests of the colony, as well as being a national question, I should feel obliged if it were submitted for the opinion of the law officers of the Crown, and that I may be informed whether I should be justified in withholding a British register from vessels becoming British under such circumstances as those described, which appear to me simply an evasion of the law.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor,

BRITISH
COLUMBIA.

Enclosure 1 in No. 5.

Encl. 1 in No. 5.

COPY of Letter from James N. Thain and Alexander Sinclair Murray, of the Victoria and British Columbia Steam Navigation Companies, dated Victoria, April 7, 1859, to Governor DOUGLAS.

SIR,

IN conformity with the desire expressed by you, at a recent interview held with you on the subject of the navigation of Fraser River, that we should considerably reduce the present scale of charges on freight to the different points on that river, we beg respectfully to make the following tender: That on condition of the exclusive privilege of the navigation of the inland waters being granted to us, as representing the only *bona fide* owned British vessels running on the Fraser River, we will carry the Government, the Hudson's Bay Company's, and all merchant freight at the rate of twenty-five dollars (\$25) per ton, from this to Fort Hope or Port Douglas, from the time the rising of the water will admit of our steamers reaching those points to the end of the month of September next.

We are induced to make this low tender (the present rate of freight from here to Fort Hope being \$72 per ton of 2,000lbs.) in order to protect owners of British steamers built in the colony from the prejudice they would suffer if any nominal transfers of foreign vessels be effected, such we are informed being at present contemplated.

We have, &c.

(Signed) JAMES N. THAIN,
Secretary, Victoria Steam Navigation Company.
ALEXANDER S. MURRAY,
for British Columbia Steam Navigation Company.

Encl. 2 in No. 5.

Enclosure 2 in No. 5.

COPY of a Letter from the Victoria Steam Navigation Company, and from the British Columbia Steam Navigation Company, to his Excellency Governor DOUGLAS, April 7, 1859.

SIR,

IN compliance with your Excellency's desire that we should state in writing the substance of our conversation with you this morning, we willingly repeat the same, feeling that the interests of all British shipowners are at stake in this matter.

The owners of the American steamers "Maria," Lubbock master, and the "Enterprise," Wright master, now lying at Langley on Fraser river, contemplate making a change of register for the purpose of enjoying the trade of British Columbia, which we contend they are unable to do, from the fact that the vessels are entirely foreign built, and, as such, should be debarred running on British inland waters. Our construction of the law is that a difference exists between the rights of foreign vessels, which may become British property, to navigate ocean and inland waters, the latter privilege belonging only to vessels actually British built, and entirely owned by British subjects, unless the persons buying foreign steamers built expressly for inland navigation comply with the English law previous to 1851. If such is not the case, there is no longer any protection to British shipping.

In the intended disposal of the steamers we have alluded to, we also think that the actual requirements of the law will not be complied with by the cash payment of the value of the steamers. The acceptance by the owners, of promissory notes accompanied by a mortgage for the value of the steamers, payable out of their earnings, would actually leave the ownership of the steamers in their hands until the profits enabled the purchasers to pay; but as we look upon the matter, the intended sales, being a mere evasion of the law by the owners, would at once be cancelled, and the payment of the notes would not be enforced should one or both of the steamers be lost before the acceptances became due.

The estimated payment for the two steamers* will be sixty thousand dollars. We may mention that the "Enterprise" was at one time sold for eight thousand dollars, and the "Maria" was also recently offered for twenty-five thousand dollars. If these transfers are carried out, British ship interests on the Fraser River will almost cease, as the entire carrying trade will be performed by these and other American vessels which will be sent up from California.

In concluding our remarks, we would inform your Excellency that British steamers are now being built in England for the inland navigation of the Fraser River, whose owners would most assuredly not have contracted for them had they supposed that American vessels could be thus transferred to the entire prostration of British interests.

We have, &c.

for the Victoria Steam Navigation Company,
(Signed) JAMES N. THAIN, Secretary.
for the British Columbia Steam Navigation Company,
(Signed) ALEXANDER SINCLAIR MURRAY.

No. 6.

No. 6.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 141.)

Victoria, Vancouver's Island, April 25, 1859.

SIR,

(Received June 10, 1859.)

I HAVE duly received your Despatch of the 12th February last, No. 22,* expressing to me the satisfaction of Her Majesty's Government at the tranquillity prevailing in the

* Vide papers
presented
August 1859,
page 80.

colony of British Columbia, and commending the efforts I have made to avoid drawing upon the Imperial treasury for the expenses of the colony.

2. I need not say how gratifying is this approval to me. Her Majesty's Government may rest assured that I will not relax in the application of the most rigid economy to the public affairs of the colony; and I doubt not that, apart from the expenses incurred by the detachments of Royal Engineers and Royal Marines, we shall continue to be able to meet the other expenses of the colony, and that ultimately British Columbia will be able to repay the advances made to her by the mother country.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 7.

No. 7.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 143.)

Victoria, Vancouver's Island, April 25, 1859.

(Received June 10, 1859.)

SIR,

SINCE my report of the 12th instant* nothing of much importance has occurred * Page 5.
respecting the colony of British Columbia.

2. Mr. Begbie returned yesterday from Fraser's River, after visiting all the settlements as far as the Fountain. The country appears by his report to be everywhere quiet.

3. The Indian population have suffered much privation of food in consequence of the dearth of fish and their natural improvidence; but the white miners were well supplied, though provisions were selling at a high price, caused chiefly by the distance from the sea and the heavy expense of transport.

4. The snow was still lying deep in many parts of the road when Mr. Begbie left the Upper Fraser. The miners were, however, beginning their labours, and were moving into the upper country in great numbers.

5. The accounts from the mining bars below Fort Yale are most satisfactory. Mr. Perrier, late justice of the peace, who arrived lately from that part of the country, has given me much interesting information respecting the earnings of the miners, of which I will proceed to give a synopsis for your information. Hill's Bar, on which he holds a mining claim, is yielding more gold than at any former time. The receipts of the companies who supply water for sluicing amount to 1,200 dollars a week, and four men took out of one mining claim the large amount of 4,000 dollars' worth of gold dust in six consecutive working days. Prince Albert's Flat yields from 5 to 12 dollars a day to the man. Emory's Bar was nearly deserted in consequence of the rush of miners to the upper country. Texas and Victoria Bars are yielding fair wages, and even as far down and below Fort Hope the miners are doing remarkably well for the season. The bars are now generally deserted for bank diggings above the highest level of the river, and Mr. Perrier is satisfied that all the table lands between Forts Yale and Hope in the valley of Fraser's River are auriferous, and will yield large wages to the industrious miner. Those diggings are yet but imperfectly prospected and little known, but wherever explorations have been made, a highly auriferous stratum, varying from three to four feet in thickness, has been discovered about eight feet below the surface, and my informant further adds that the surface mould itself contains enough of gold to cover all the expense of its washing and removal.

6. The Royal Engineers and Royal Marines have been all safely landed at Queensborough, where they are now stationed, and Colonel Moody is also at that place making arrangement for their comfortable accommodation and directing the surveys of public land and other affairs connected with his department. Several numbers of the "Victoria Gazette," as per margin, are herewith forwarded for your information.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

14 April 1859.
16 "
19 "
21 "
23 "

No. 8.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Victoria, Vancouver's Island,
May 8, 1859.

May 8, 1859.

(Received June 27, 1850.)

(No. 150.)

SIR,

1. THE latest advices from British Columbia, report satisfactorily as to the peace and good order which reigns in the Colony; the confidence of the people in its auriferous wealth, notwithstanding occasional fits of panic, is unbounded; but there is a general outcry for better roads into the interior, the difficulty of access still forming the great impediment to the development of its mineral resources.

2. The cost of transport enhances the price of food, and of all other necessities of life, from Lytton upwards; to an extent which absorbs nearly the whole of the miners' earnings, large as they occasionally are. The production of food by the cultivation of the soil in the mining districts, and the improvement of the Harrison river route into a waggon road, and otherwise opening the great commercial thoroughfares of the country, are measures of relief to which I have urgently directed the attention of the Commissioner of Lands and Works.

3. The extensive plains on the Pitt, Smess, and Chilwhayook rivers, are to be hurriedly surveyed, and thrown into 80 acre sections for immediate occupation for the purpose of raising food and retaining a permanent population in the country.

4. Sales of town land are soon to take place at Queensborough, Forts Yale, Hope, and Port Douglas, which I trust will bring in a considerable amount of revenue.

5. The Custom House receipts for the last fortnight amount to something over 773*l.* sterling, and will rapidly increase with the growth and expansion of the country.

6. The mining districts yield hardly revenue enough to pay their own police expenses, in consequence of the difficulty of collecting the Licence Fee on miners, who will pay no tax except through the force of compulsion.

7. We must, I think, adopt some other system of taxation pressing less directly upon the individual miner. The miners' right, and the export duty on gold,—features of the Australian system,—recommend themselves from the ease and simplicity of their collection, and having already the machinery and staff required for that purpose. The state of the country is, however, hardly ripe as yet, for the imposition of an export duty on gold, but the day is probably not far distant when the gold will be exchanged in the country and exported in large quantities by banking and commercial houses, when the difficulty of collecting the duty will cease.

8. Many reasons induce me to try another plan, which under firm management would I think work well. By remodelling the whole system of mining regulations in British Columbia, and instead of levying mining fees which would, in that case, be abolished, I would purpose to treat the gold fields simply as crown land, and letting it out in large or small allotments, on leases at a fixed rent, to any persons disposed to work the soil. The revenue would thus be derived from a Land Rent, and not be levied under the name of an obnoxious tax, and tenants would be ejected at will on their failure to pay the stipulated rent.

I will have more I hope to communicate on those subjects by the next mail.

9. Captain Richards is now engaged in Her Majesty's surveying ship "Plumper," in making a survey of the lower part of Fraser's river, and Lieutenant Mayne has been detached to make a reconnaissance of the river to the fountain, with instructions to return by Harrison river for the same purpose, I anticipate much valuable information from the report of that officer, which I will forward to you when received.

The numbers of the Victoria Gazette mentioned in the margin are herewith forwarded.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P., (Signed) JAMES DOUGLAS,
 &c. &c. &c. Governor.

&c.

&c.

& C.

Governor.

April 26 to
May 10.

No. 9.

BRITISH
COLUMBIA.

No. 9.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

May 12, 1859

(Received July 11, 1859.)

(No. 153.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 11th February, No. 20,* referring to the sale of town lots at Langley, and conveying to me your approval of my proceedings in that matter.

* Vide papers
presented
August 1859,
page 80.

2. I have perused with much attention your remarks upon the subject of aliens acquiring land, and I return you my best thanks for the same and for your kindness in furnishing me with the Canadian Acts, which will prove of great service in legislating for that class in British Columbia.

3. With reference to your remarks respecting the position of the town, I would beg to state that I was guided in choosing Old Langley as the site of a commercial town chiefly by the partiality displayed for that spot by the mercantile community of the country, whose instincts in such matters is generally unerring.

4. The place, moreover, possesses great natural advantages for trade, being accessible by land from Semiahmoo, having deep water, a bold shore, and good anchorage. The land is also clear of trees, and was surveyed at a very small expense, and therefore perfectly suiting our pecuniary means.

5. The operation on our part was a financial measure rather than one founded on any cogent reason of policy. The locality was popular, and the land realized a larger return of revenue than any other spot on the river would have done. You will doubtless have perceived from my Despatch No. 9,† 3rd November last, that I never proposed constituting Langley the sea-port town of Fraser's River, for which purpose it would not, in my opinion, have been adapted, owing to the obstructions caused by ice in the winter, and its greater distance from the sea than the proposed port of entry, Queensborough.

† Vide papers
presented
August 1859,
page 19.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 10.

No. 10.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

May 14, 1859.

(Received June 27, 1859.)

(No. 154.)

SIR,

By an unexpected conveyance, which is on the eve of departure, I beg to communicate to you the latest intelligence I have received from British Columbia.

2. In a letter addressed to the Collector of Customs at Victoria by a Mr. G. B. Wright, a respectable merchant, and dated at Bridge River, April 23rd, some specimens of native copper quartz and gold are enclosed; and Mr. Wright states that the reports at that time from the upper country are of very rich but shallow diggings; that large quantities of gold were then being taken from the bars; and that a great many of the sluicing companies who have permanent diggings were commencing work; and also that men were continuing to rush forward to the Upper Fraser in large numbers.

3. I forward herewith the latest numbers of the "Victoria Gazette."

12th and 14th
May.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.

No. 11.

No. 11.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.Government House, Victoria, Vancouver's Island,
May 23, 1859.

(Received July 11, 1859.)

(Answered No. 9, July 28, 1859, page 98.)

(No. 156.)

SIR,

I HAVE duly received your Despatch of the 7th February, No. 16.*

2. I observe with much satisfaction that the system of land sales which we proposed to continue in Vancouver's Island, and to introduce into British Columbia, has generally met with your approval. With regard to your suggestion that an upset price, lower than 1*l*. per acre for ordinary country land, should be adopted, provided that good practical reasons for such a course should exist, I would remark that during the completion of our arrangements for the sale of land it did occur to me that a lower upset price than before proposed would probably promote the settlement of the country, which might otherwise be retarded, owing to the low rate of land in the adjacent territories of the United States; for these and other reasons the upset price was fixed by the Proclamation of the 14th February last at 10*s*. an acre, as stated in my Despatch No. 104,† of the 19th February last. It is also very gratifying to observe that we have fallen into your views in making one general upset price for the land and in adopting the system of sale by auction, conceiving as we did that the interests of the public would be subserved by that more than by any other mode of sale, and that perfect confidence would be established in the purity of the land sales.

3. The only material point on which we diverged from your own views was in not requiring prompt payment for land and in permitting payment by instalments, say one-half on delivery and one-half at the end of two years.

4. The object of this regulation was to facilitate the purchase of land by settlers with small capital, who form the bulk of the present intending settlers in British Columbia. This system is undoubtedly open to the serious objections so forcibly stated in your Despatch, but we think it would not be advisable to alter it at present, nor until the settlement of the country is advancing favourably and the public revenue begins to feel the influence derived from the progressive expansion of the resources of the country, and through the increase of the Customs duties and by direct imposts on property, and on a population of profitable consumers well capable of paying taxes.

5. The system of prompt payment might, however, be adopted after the partial settlement of the country, when land acquires more than a nominal value, and becomes in a manner a convertible commodity.

6. Country land will be arranged, as you propose, in lots containing aliquot sections of a square mile, and town lands will be laid out as at present in lots of 60 by 120 feet. The latter are put up for sale at 20*l*. 10*s*. 8*d*., and some of the unimproved Langley town lots sold at a rate amounting to 560*l*. per acre.

7. We shall continue to deal with mineral lands in the manner of which you have approved, and shall establish such liberal regulations as may encourage the exploration of the country by letting out the said lands to the discoverer.

8. I feel greatly obliged for the information you have kindly given me of the practice in other colonies in such cases, which will be of much assistance to me.

9. We propose to abolish the system of licences for digging gold, which at present barely pays the expense of collecting, and to substitute an export duty on gold and a direct tax on miners, from both of which measures we expect to derive a large increase of revenue.

10. Surveys are being extended to all the open districts of land on Fraser's River, so that the country may be laid out for immediate settlement and occupation.

11. I shall not fail to furnish her Majesty's Government with copies of all maps and plans which he may prepare, and which I trust may be found useful in awakening an interest in the public mind respecting these colonies.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

* Vide papers
presented
August 1859,
page 78.

† Do. do.
page 64.

No. 12.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 158.)

Victoria, Vancouver's Island, May 25, 1859.

(Received July 11, 1859.)

SIR,

HAVING called upon Captain Gosset, the Treasurer of British Columbia, to furnish me with such information in connexion with the establishment of a mint as he had been able to acquire previous to his departure from England, I received from him the enclosed letter, which in compliance with his request I forward for your perusal.

1 Enclosure.

2. The only point to which I would desire to draw your attention is the allusion made by Captain Gosset to the inconvenience experienced from the want of British coin in this country. This is a serious evil, and if Her Majesty's Government would entertain the suggestion of sending out a supply of coin, it would confer a real benefit on the colony.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in No. 12.

Encl. in No. 12.

Treasury, Queenborough, British Columbia,

April 25, 1859.

SIR,

COMMISSIONED by the Secretary of State for Her Majesty's colonies to undertake the task of organizing a mint (of which an assay office forms a part), should the necessity arise for such an establishment in this colony, I made it my care to study (kindly permitted by their officers so to do) the American institutions of the same class, both in New York and San Francisco, at which places I was unavoidably detained some weeks on my journey from England.

And not alone the modes of working these institutions, and the differences between their arrangements and those of the Royal Mint, but I made the effect of their operation upon the condition of the people, likewise, the subject of careful inquiry; for alike in so many respects, as are the circumstances attending the infancy of this colony, to the first conditions of California, that from the errors of our neighbours as well as from their successful measures a wholesome lesson seems derivable and an index obtainable of the advantage or otherwise of establishing certain institutions similar to those existing in the adjacent gold state.

It was with deep interest, therefore, and an anxious desire to arrive at a sound conclusion, that I sought information from various classes of persons in San Francisco, including many who had returned from prosperous and non-prosperous operations on the Fraser River.

Not, however, until by personal inquiry amongst the mining population remaining on the Fraser (prosecuted in the month of January last), and amongst the miners *in transitu* to our gold fields since that time, as to the feelings of that important class, nor (in consequence of the discouraging accounts at the beginning of this year) until the yield of gold seemed to warrant me in addressing his Excellency the Governor without danger of error, have I felt myself justified in stating, as I now do, in confident terms, my opinions that those branches of a mint comprised under the heads of a smelting house and assay departments should be established in Queenborough with the least possible delay; not merely as being certain to prove directly beneficial to the public revenue and to the community at large, but for the broader purpose of developing the wealth and advancing the general prosperity of this colony.

In California I became convinced of the following points:—

1st. That the establishment of an assay office has *greatly tended to retain population in the state.*

2nd. That the public, although not hitherto perfectly satisfied with the arrangement of the San Francisco Government Mint, yet placed more confidence in the smelting and assay departments of that institution than in the smelts or assays made by private practitioners. By those familiar with the confidence justly reposed in the private assay houses of London this assertion might be reasonably doubted, were it not explained that in a new country so few are the established firms, and so numerous the ignorant and questionable characters who embark in all kinds of professions, trades, and callings, with or without the slightest knowledge of the subject or guarantee for integrity, that general distrust is engendered against the whole.

3rd. That, therefore, nine-tenths of the gold of California is smelted and assayed at the San Francisco Government Mint; one moiety of the remainder seeming to find its way to the Government Assay Office in New York.

BRITISH
COLUMBIA.

4th. That nearly, if not quite, the whole of the British Columbian gold has been smelted and assayed at the San Francisco Government Mint.

5th. That by a trifling charge per weight the smelting and assaying departments are made self-supporting.

6th. That the mining population of British Columbia, unable to obtain proper value for their gold in British Columbia, did, in large numbers, return to San Francisco solely for the purpose of having it assayed there; and that the colony of British Columbia not only lost the fruits of these miners' labour (for once in San Francisco, the miner scarcely ever returned until his earnings were exhausted), but lost the benefit of these men's time and industry during their absence.

To this, with the fact of there having been no port of entry in British Columbia, nor any guarantee for agricultural settlement, may be ascribed the depopulated state of British Columbia when I arrived in the colony, a condition but little mended by the scanty re-immigration which has yet taken place, the evils adverted to being still in existence.

With the belief, however, that Queenborough will be shortly open to commerce, with a hope that arable land will be placed within the powers of desiring purchasers, and that roads to the mines may receive early attention, and with evidence of auriferous wealth, indisputable since the receipt of gold for the last quarter, there seems to exist but one opinion that the first steps towards the formation of a mint at Queenborough will materially tend to aid every other measure of Government, to strengthen commerce, and to check the nomadic habits of the miner.

By the admirable express arrangements of the transit houses, the gold will follow one known channel,—trade compels this,—and that channel will be to, as it is already by, the declared capital of British Columbia. At the capital, therefore, as in most countries, there should the mint be established, and not on Vancouver's Island, as proposed by the House of Assembly of Vancouver's Island, and, in all respect I venture to think, inadvertently acquiesced in by his Excellency the Governor of the two colonies.

The very best intentions of so costly an establishment would be frustrated by taking the gold, for coinage, 100 miles across the sea, away to a colony not itself gold producing, nor likely to be other than of secondary magnitude as compared with British Columbia, to be again returned with the charge of double freight and double insurance to the producers of the metal.

The very eagerness of the Vancouver House of Assembly to grasp at a mint is evidence of this; the House doubtless felt that a mint in Victoria would tend to draw population and trade away from British Columbia, and to raise their town into the position of a capital to British Columbia, to their own advantage, but to the detriment of their sister colony, of which I venture to count myself one humble guardian.

Not only, in my humble opinion, does it appear imprudent for the Government of Vancouver's Island, especially in the present state of its finances, and without any immediate prospect of increased resources, to contemplate the establishment of a mint for the purpose of coining the metal derived from the heart of a neighbouring colony, but I should even deem it unadvisable for British Columbia to come to too hasty a resolution on a matter involving, as proved by the cost of the Sydney Mint, 60,000*l.* to 80,000*l.*

For although the want of coin, and especially of British coin, at the present moment must be a matter of serious disquietude to his Excellency, yet, on arrival of the bank, expected daily, this grievance will be lessened by the circulation of notes; and, could the Home Government be induced to send out (not as a loan, but to be repaid in bullion), of—

Sovereigns	-	-	-	-	-	£60,000
Half do.	-	-	-	-	-	20,500
Florins	-	-	-	-	-	11,000
Shillings	-	-	-	-	-	5,000
Pence	-	-	-	-	-	2,500
Half do.	-	-	-	-	-	1,000
Total	-	-	-	-	-	<u>£100,000</u>

the grievance would, in my opinion, be removed for a considerable time to come.

That under any circumstances of prosperity two mints should be formed, I presume no one would contend; one has been found ample for the whole of the Australian Colonies, Van Diemen's Land, and the New Zealand. In that colony, therefore, firstly, yielding the precious metal; secondly, possessing even now, depopulated as it may be considered, the larger population, and promising a proportion immensely greater, wherefore greater means, greater revenue, and all those many other conditions which would alone justify Her Majesty's Government in assenting to the introduction of so important a department; and in that colony alone should it, in my humble judgment, be understood, that when the necessity arises, there, and not in Vancouver's Island, will a mint be formed.

That it would be premature even in British Columbia to establish an entire mint, I have stated, but that the time has now arrived for introducing a portion of such an establishment there I have likewise premised, and now recommend immediate action.

I shall therefore propose that I be permitted to communicate with the Commissioner of Lands and Works, in order that suitable smelting and assay buildings may be prepared by the time the subordinate officers for these branches may arrive from England; and further, that these gentlemen, three in number, with two assistants, and all the smelting and assaying implements, should be sent out by way of Panama.

Should further assistants be required, I have no doubt of obtaining suitable men in the colony for instruction in the manipulations, whereby in three months after the arrival of the party from England

I would guarantee to be in a position to meet the emergency of great pressure or illness amongst my staff.

But for the express purpose of engendering confidence in the department at the outset, I look upon the procural of assistants in the first instance direct from the mother country as of the utmost importance. Assayers might be obtained from California, but for the very reasons adverted to in a former part of this report, such men would not invest the department with that thorough reliability which it is absolutely essential that it should at once command, not only that it may succeed, but for the credit of the Government in so delicate a matter as the adjudicating the quality of the precious metal.

The expense of such an arrangement will probably be, for the first and second year :—

	1st Year.	2nd Year.
1 Assaying officer	- £400	£450
1 Smelting officer	- 400	450
2 Assistants	- 500	600
1 Accountant clerk	- 300	350
Implements	- 1,500	100
Transit of party and stores	- 500	—
Buildings	- 500	—
	<u>£4,100</u>	<u>£1,950</u>

Properly conducted, I should have little doubt of making such a department self-supporting after the first year.

As the Master of the Royal Mint, with whom I was placed in communication by the Lords Commissioners of the Treasury, will doubtless be called upon for report and assistance in this matter, I purpose doing myself the honour of transmitting him a copy of this report, and addressing him on the subject of those many details, which would but encumber this letter, and will be perhaps better arranged, being purely professional, by direct correspondence between us as professional men.

In conclusion, having referred to the expense of the Sydney Mint, without committing myself to any opinion that experience and improvements in the manufacture of machinery since 1851 might not enable a similar department to be outfitted at a somewhat less cost than 60,000*l.* to 80,000*l.*, yet I should certainly deprecate any attempt to establish, in any of Her Majesty's colonies, a department of so important a class on any other than the most perfect footing. The coinage of Her Majesty's realm should ever stand pre-eminent amongst nations; its sterling qualities, value, and workmanship should never be sacrificed at the shrine of economy or present convenience.

With regard to the adoption of the currency of the United States, I do not perceive the necessity for hastily declaring in favour of a foreign metier; nor, in my own opinion, is there any ground for departing from Her Majesty's initial coin, the British sovereign, possibly substituting for the existing a decimal arrangement proceeding therefrom; of which already there has been issued (I believe as a tentative coin) the much-esteemed florin, the tenth of which might be termed a groat, reviving an old English name of somewhat the same value, with one-tenth again, as a mil or mille; such a decimal arrangement being that which (I believe) would have been recommended by the Commission of Inquiry into the subject, but for the one argument, advanced by dealers who received and disbursed farthings in thousands per diem, viz., that the poor of Great Britain would suffer by the alteration of the farthing, or $\frac{1}{400}$ of a pound to the $\frac{1}{1000}$, an argument which would have no weight here, where poverty is unknown, and where the habits of the people and their prosperity induce a positive disregard of fractions under a 5 cent (or about $2\frac{1}{2}$ *d.*) piece.

It seems proper, before closing this report, that I should draw his Excellency's attention to your letter of the 8th of this month, requesting my opinion on the address of the House of Assembly of Vancouver's Island, praying that the Governor of Vancouver's Island would "urge upon the Home Government the desirability of establishing a mint" in their colony, to which letter this report, commenced as soon after the termination of last quarter as I was able to procure from the various dealers accurate statistics of the gold yield, and enlarged to meet his Excellency's desire for my opinion, is intended as a reply.

If in stating my views, when in opposition to those entertained by his Excellency, I have been led into any observations that may seem objectionable, I must beg to be excused, for the sake of the gravity of the questions proposed, believing that a right conclusion will be better drawn by those who will decide from the consideration of frank and honest statements, than representations enfeebled by a weak desire to avoid points of the greatest moment which may be at variance with the Governor's sentiments.

Having been requested by Sir Edward Lytton to place him in possession of my opinions on the subject of a mint in British Columbia, so soon as I could give a reliable report through the proper channel, I have the honour to request that his Excellency the Governor may be pleased to forward the accompanying copy of this communication to the Colonial Office.

The Acting Colonial Secretary,
&c. &c. &c.

I have, &c.
(Signed) W. DRISCOLL GOSSET,
Treasurer.

BRITISH
COLUMBIA.

No. 13.

No. 13.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.Government House, Victoria, Vancouver's Island,
June 6, 1859.

(Received July 25, 1859.)

(No. 165.)

SIR,

THE sale of building lots at the new town of Queensborough took place on the 1st and 2nd of the present month at Victoria.

2. The result has proved most satisfactory as a financial operation, and indicates a general confidence in the future of the colony.

3. The actual amount of sales was rather over \$9,000 dollars, on which a deposit of 25 per cent. was made on the purchase, the remaining balance to be paid in three equal instalments on the 1st day of July, August, and September next respectively.

4. 318 lots were offered for sale, and 310 were sold. 110 lots are reserved for future sale. The largest sum realized for a single lot was 1,925 dollars, and the average price of the lots sold was nearly 290 dollars.

5. The accompanying statement from the Department of Lands and Works is transmitted for your information. It distinguishes the actual sums of money received and due on the sale from the amounts already paid on Langley titles, which were transferred to Queensborough under the provisions of the Proclamation of 14th February last. It is not impossible that this concession led in some manner to the high prices obtained for the Queensborough lots.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Encl. in No. 12.

Enclosure in No. 13.

BRITISH COLUMBIA.

Sale of Queensborough Town Lots.

Actual amount of sales	-	-	-	-	-	-	-	\$89,170
Amount of instalments received in cash	-	-	-	-	-	-	-	11,363 ⁷⁵
Ditto receivable in cash	-	-	-	-	-	-	-	50,863 ²⁵
								\$62,227
Amount received in Langley titles	-	-	-	-	-	-	-	11,192
Ditto receivable ditto	-	-	-	-	-	-	-	15,751
								\$89,170

June 4, 1859.

(Signed) ROBT. BURNABY,
pro the Chief Commissioner of Lands and Works, British Columbia.

No. 14.

No. 14.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.Government House, Victoria, Vancouver's Island,
June 8, 1859.

(Received July 25, 1859.)

(Answered No. 16, September 5, 1859, page 101.)

SIR,

SINCE my last report a number of miners, originally from California, have returned to Victoria from the Upper Fraser River. Many of these men have amassed large sums in gold; the majority of them have not, however, been so fortunate.

2. They assign various reasons for leaving the country; some the high price of provi-

sions; others a desire to see their friends, and to spend a few months comfortably in California; others the irregularity and shallowness of the diggings in the Upper Fraser district; all, however, admit that any industrious man can at any time make from four to five dollars a day, but owing to the high price of provisions that sum will scarcely maintain the miner in that part of the country.

3. The cost of transport from Victoria to Lytton is the real cause of the high price of provisions.

4. The river steamers, however, have lately reduced their fares, and now make a reasonable charge for freight, probably not more than is remunerative. The great impediment to the development of the interior resources of the country now arises from the want of roads. British Columbia can never become great or prosperous without them, and we purpose devoting all our means and energies in improving the Harrison River road into a good waggon road.

5. A body of Royal Engineers and Royal Marines, numbering about 100 men, augmented by 30 civilian labourers, will be detached for that service as soon as Lieutenant Palmer, who is now employed in surveying the road, has completed his report.

6. The successful completion of this great enterprise will open a safe, easy, and comparatively inexpensive route into the interior of British Columbia, and give facilities, at present unknown to the miner and the merchant, for the development of its mineral resources.

7. The people at Port Douglas have expressed their willingness to aid, either by their personal labour or by pecuniary contributions, in this important work; as, however, none of them are wealthy, their contributions will not be great, but their zeal for the progress and prosperity of the country is encouraging to us and very honourable to themselves.

8. Another road is now being opened from Fort Hope to Lytton on the left bank of the Fraser; it follows the valley of the Quiquialla, and from thence strikes Anderson River, which it keeps as far as Quayome, from whence there is a good road to Lytton. This route was discovered and explored by an inhabitant of Fort Hope, and the people with great spirit immediately raised the sum of 2,000 dollars among themselves for the purpose of opening a horse-path, which is made nearly half the distance to Quayome. Lieutenant Lempriere and two men of the Royal Engineers, who were lately sent by Colonel Moody to examine that line of road, will report upon it hereafter, and we propose giving further assistance, if requisite, to promote so useful a work.

9. Our latest advices from Fort Yale report that a number of miners had arrived at that place from the upper country with unfavourable reports of the gold districts; on the other hand, the Commissioner at Lytton reports that the persons who have left that part of the country are a class that can well be spared, being principally gamblers and idlers, who will not steadily follow any avocation. The feeling against the mining licence fee is very general among the miners, and the tax is almost unproductive of revenue.

10. We are now engaged in remodelling the mining laws of British Columbia, so as to approximate them as nearly as circumstances will permit to the mining laws of Australia.

11. We have issued the new Customs Act and the Alien Act, which I will shortly forward to you. A very interesting report from Mr. Begbie, Judge in British Columbia, is herewith forwarded for your information.

¹ Enclosure.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure 1 in No. 14.

SIR,

Victoria, April 25, 1859.

Enclosure 1 in
No. 14.

1. I HAVE to report to you my return from the circuit which I have just held in British Columbia, as far as the Fountains, to which point I followed nearly the course of Fraser River. From thence I returned by the Lilloet route and the Harrison River to Langley.

2. I have already had the honour to report for your information the proceedings at Langley, at Fort Hope, and at Fort Yale.

3. Accompanied by Mr. Nicol the High Sheriff of British Columbia, and by Mr. Bushby the Registrar and Assize Clerk, or who at least acted in these capacities, I left Fort Yale on foot on the

BRITISH
COLUMBIA.

28th ultimo with an Indian body servant, and seven other Indians carrying our tent, blankets, and provisions for Lytton on the forks of Thompson's River.

Acting on the suggestions of the Chief Commissioner of Lands and Works, Mr. Nicol and myself made a reconnaissance of the entire road travelled over, the result of which I hope shortly to be able to plot out and place in your Excellency's hands.

4. There being a considerable quantity of snow on the ground, we could not follow the mule trail, but kept on the right bank of the Fraser River until two or three miles below Quayome or Boston Bar.

There are one or two restaurants on the road, one at Spuzzen, one at the top of the hill immediately above Yale, one at Quayome, and another about 18 miles from Lytton; but we found it would have been an extreme inconvenience to have been without a tent and without a sufficient supply of provisions for the entire route. It would even be extremely economical to provide at Fort Yale the whole of the necessary stores to carry round the whole way across the portage between Lake Anderson and Lake Lilloet. Provisions we found to be at (to us) unusual prices,—flour, *c.g.*, 20*d.* to 2*s.* per lb. until we arrived at Lake Lilloet.

5. The trail between Fort Yale and Quayome, by which we advanced, was at that time I should think utterly impassable for any animal but a man a goat, or a dog. It might, doubtless, be very much improved. In many places a very painful and dangerous ascent and descent of 20 minutes, in the whole course of which the traveller depends almost as much on his hands as on his feet, brings the path to within a few yards of the projecting precipice through which a few pounds of powder would have made an easy way. But it suggested itself as extremely doubtful whether it would be worth while at present to engage in any improvements on this part of the line until the far easier Lilloet route be rendered practicable, as it might for a considerable extent very readily be for carts.

6. Between Fort Yale and Quayome there did not appear to be any land, except a few spots here and there of a very few acres in extent, capable of cultivation; but the soil was rich and well fitted for roots, and at Spuzzen accordingly the Indians had considerable potato patches; but nothing like an English farm could be established.

7. Above Quayome the trail to Lytton presents no serious obstacles to prevent a cart road being made, except in two places. The country above Quayome very much changes its aspect. There are almost immediately found benches of fertile land, comparatively free from underwood, but tolerably thickly wooded with large trees not more than convenient, however, for farming purposes, which in fences, fuel, and log huts, rapidly consume timber. About half a day's journey below Lytton a considerable enclosure of about 200 acres is made by felled trees, a Frenchman, whose name I did not learn, intending to make a farm there; very many such might be made.

8. There are considerable beds of slate opening on the Fraser River, a couple of miles above Quayome, and these make their appearance two or three times before arriving at Lytton. At the place where I observed the first slate bed there is also apparently a spring highly charged with carbonate of lime, but it does not appear to be abundant, and, as far as I could trace, appeared to flow but from a very little distance above the bank. Leaves and branches of trees were thickly encrusted with a chalky or marly deposit, but were not hardened or petrified. There were also on the beaches of the river, often seen limestone boulders; but I did not observe any *in situ*.

There was a great change in the climate after passing the Quayome River; it was much drier, the springs less frequent, the soil sandier, the undergrowth much less dense, and the spruce, hemlock, Douglas, and cedars which we had carried all the way from the sea all disappeared by degrees, and were replaced by a pine, very similar to the Scotch fir, but with longer spines. The first place where we noticed this tree we named Scotch fir point.

9. Lytton does not appear a well chosen site for any town. It is on the higher of two benches parallel to each other and to the River Fraser, the lower one being the narrowest, both terminating in a very steep descent, as steep as a man can descend without using his hands, to the River Thompson, I should think 300 or 400 feet deep. The upper plateau, on which Lytton is placed, descends by a similar bank of about 100 feet high to the narrow bench, which again descends by a similar precipitous bank upon Fraser River. At the south end of the town there is a very deep gully, which runs a considerable way into the mountains on the east of the river. Up this gully a road might be brought from the Fraser; it is, I think, the easiest way; but it would probably be from 1 mile to 1½ mile in length for carts. There is only one little rill of water to supply the town; it is adequate for the few houses now there, but quite insufficient for a town of any size. Mr. Nicol and myself ascended its course (it is an artificial ditch brought by miners) for about 1½ mile, in order to see whether it was larger at its source, or diminished by percolation, as we had been told that at that distance it was 15 times its bulk below. We found that this was an entire misrepresentation; we fancied indeed, but sometimes entirely changed our opinion, that the stream above contained somewhat more water. We had no means of gauging the rill. It is probably the fact that some water is lost, which by a careful system of waterproof piping might be available for the supply of the town; but at best it would be no more than a tolerably rapid flow in a channel a foot wide and 4 or 5 inches deep, not much more than in a sluice head on a single mining claim. Waterworks might easily be constructed to any extent upon the Thompson River, which runs swiftly, and in a very clear and abundant stream. From the nature of the soil I do not think wells would answer; I recollect that when I was on the spot the soil appeared to be more dried up than it now appears. I believe that the appearance was caused, not by aridity, but by severe cold. It is, however, very dry. There is on the right bank of the Fraser, above the Forks about three-quarters of a mile, a much more eligible site for a town, a plateau communicating with the river at a convenient height, and again with many other plateaus of various sizes and of various heights above it, with abundant water supply in a large brook which runs strongly behind it, and abundance of wood behind, which at Lytton appears to have been rather scanty at the first, and now is all swept off for log houses and fires.

The only objection to this other site is, that it is a short distance above the mouth of Thompson's River, so that travellers up that river would have to go three-quarters of a mile out of their way to visit the town.

10. The shores of Fraser's River were thinly dotted by miners on both sides: the great mass of miners were forcing their way up with provisions in boats; a very few were going up on foot; nearly the same number were returning on foot, alleging the high prices of provisions in the upper country.

They were high enough at Lytton, where we were charged three dollars a head for each meal, consisting mainly of bacon and hearth-made bread.

11. It was a great inconvenience to have no access to any books or plans of the town, which were all locked up. There were a few contested lots, but not many, and I should think the difficulties are not hard to settle.

12. In the view of the extreme dearness and scarcity of fresh vegetables, I authorized one James Tackley to enclose and cultivate a small strip of land, about an acre, near the river Fraser; such authorization to confer no pre-emption right nor any right whatever after Christmas next, and not to be alienable except by consent of the Chief Commissioner. I afterwards viewed and consented to cultivation on the like terms at the following places:—

10 acres, 2 men (Milroy, Scotch), about 10 miles above Lytton.

5 acres, near the point of junction of the Lilloet route with the Fraser to a Lower Canadian.

5 acres, at the upper end of Lake Anderson, to one Berger.

40 acres, being 5 acres each to 8 men, at the half-way house between Lake Anderson and Lilloet.

Gourley, a Scotchman, at the head.

2 or 3 acres to the innkeeper, 10 miles above Port Douglas.

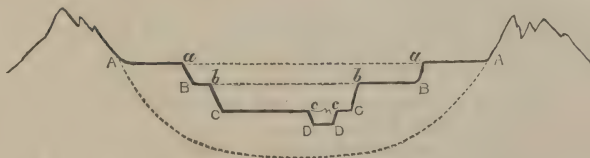
Three other applications, upon which Mr. Nicol will probably have reported to the Chief Commissioner of Lands and Works, were made for larger quantities; viz., Mr. Bryant for 250 acres, near Pemberton; Duncan Robertson for 50 acres or thereabouts, near Port Douglas; and an innkeeper, four miles above Port Douglas, for a similar quantity.

There was a considerable degree of anxiety manifested everywhere for the possession of land; in some instances the mere right to take the crop was not satisfactory, in others it was acquiesced in.

13. At Lytton considerable excitement was manifested with reference to some ditch regulations which were then recently promulgated, and which I had not seen until I found them placarded on Captain Travaillet's office door. The miners generally alleged that the quantity of water allowed to a ditch was too small; that in consequence of the lightness of the soil, the water in a ditch is lost by percolation; and although calculated by the Government to be sufficient for two sluice heads and charged as for two claims, is in fact scarcely enough for one when it reaches the spot worked; and that lumber is so dear and scarce (375 dollars per thousand,—in fact, not to be had in any quantity), that fluming is impossible. The gold they allege to be very uncertain in its deposit; and that small claims may sometimes be worked out in a day, while others may prove extremely valuable. They allege further that it is very convenient to have or to be allowed to have ditches owned by parties entirely unconnected with the claims, who may sell the water in those ditches without limitation as to price or quantity. They did not seem to object to the limitation to sell only to licensed miners.

14. As my own view, on the theory which I formed of the geological formation of the valley of the Fraser in this direction, is, that the whole valley and benches together are auriferous, and would pay under a large system of water working. I did not pay great regard to their complaints as to the uncertain nature of the deposits in the claims; which indeed I had from practical experience an illustration of. Mr. Nichol and myself washed about 20 pans and obtained 75 cents' worth of gold. The next 5 pans taken from the same spot yielded 2 dollars; all in rusty scale gold.

15. The singular feature of level benches of various breadth, consisting of vast thicknesses of alluvial deposits, loam more or less sandy, and water-worn boulders, gravel, and pebbles, the benches being of various heights one above the other, parallel in their general direction with the course of the river and the mountains, between which it runs, and generally matched on either side of the river, forcibly recalls the "parallel mountain roads," as they are called among the Grampians in Scotland: which are now generally accounted for by geologists on the theory of the whole space between the boundary hill ranges having been originally a vast lake, and of successive elevations of the earth's surface; a theory to which the neighbourhood of active volcanic ranges gives much plausibility.



According to this theory, to which Mr. Nicol and myself gave attention in considering the country, and which seemed to explain all the phenomena, and to acquire additional plausibility from the different appearances which we remarked as we proceeded, but a detail of which would be out of place, A A along the dotted line formed at one time the bed of the lake. The earth's surface was locally raised so that

BRITISH
COLUMBIA.

BB stood as high above the level of the sea as AA originally stood. The sudden rush of water swept away by denudation all the portion of the original deposit included between BB aa. A similar upheaval again occurred, which caused the denudation of the space bcc b. A third denuded cdd c, and left the water to flow no longer in a lake, but contracted to the limits of a river, in its present bed dd. It is probable that when so large a lake existed above the Forks, it would arrest as in a trough, exactly as is done by the miner's sluicing trough at the present day, only on a gigantic scale, all the finer particles of gold brought down by the river from the mountains in the distant upper country. It is probable, therefore, that at the distant geological epoch, when a long lake or a long series of lakes extended for many miles above the Big Canon, as far as I visited the country from about Quayome to some miles above the Fountains, a distance of 80 or 90 miles; the banks and bed of the river below these lakes was not auriferous, at all events not so highly auriferous as at the present day. But on the theory that the sediment at the bottom of these lakes was all more or less auriferous, and that vast quantities of the sediment in successive portions were, upon each successive upheaval of the surface, hurried down by the mighty rush of waters through the Cañons, and into and over the smoother country below them, commencing at Fort Yale, we have again an exact repetition of the process witnessed every day in every rocker throughout the country. An enormous quantity of "pay-dirt" was at each upheaval cast into the vast sluice of the Frazer. The scale gold would be all intercepted in the rough beds of the river as it successively grooved out for itself another and another channel through the ancient bed of the original lake, or at all events in the holes and eddies in the rocks in its passage through the Cañons.

This is the sieve of the rocker, where the scale gold is, unless the rocker be unevenly worked, always retained. The finer particles,—the flour or dust gold as it is called,—would be carried over the sieve by the rush of water on to the blanket, and would principally be retained in the first part of the blanket nearest the sieve. Hill's Bar and Prince Albert's Flat, and the district generally from Fort Yale to Fort Hope, accordingly are all impregnated with flour gold more or less, and generally more so than the country below, or far below Fort Hope. But the whole of the blanket in a rocker is worth searching, and is accordingly searched by the miner periodically; and we find "flour gold" accordingly down to Langley. It is a further corroboration of this theory, that while flour gold does not amount to above 15 per cent. of the gold found at the Forks, 85 per cent. or upwards of the gold found there being scale gold, I have never heard of a single scale being found at or below Fort Yale.

16. If this view be correct, there are therefore in the benches at and around Lytton dry diggings on the most enormous scale. The district I visited from Quayome to the Fountains is about 70 miles long, and from one mile to five or six miles wide; and in many places 100, 200, and 400, in some even 1,000 feet thick. Every spadeful I believe to be auriferous. The bed of the river pays the whole distance from \$5 to \$100 per hand per day; \$12 is not unusual. It is, however, probable that the banks high above the river could not be worked advantageously without the application of copious washing. But the streams from the mountains on each side are very rare, compared with what is found below the Quayome, and water privileges are correspondingly valuable. There is, of course, a never-failing supply in the Fraser; but many of the benches are 600, and even, I should guess, 1,000 feet above its present bed (by estimation), and considerable hydraulic works would have to be undertaken, and by very different ditches, and on different principles from those now in force. It would be a question of engineering on a large scale.

17. The character of the country at Lytton is preserved all the way to the Fountains, and for as far as the eye can reach above Fountains, some four or five miles. The whole of the country is tolerably well adapted for stock. It appears rather too dry a climate for arable cultivation. There is abundance of bunch grass. Water is not everywhere met with on the benches above the river, but the Fraser is always there.

The soil is sometimes covered with shingles, at other times too sandy, but in general a light loam. The pine trees already described appear by their resinous, spiky leaves, which strew the ground in great abundance, to make it much drier than it otherwise would be. These trees would soon be removed for firing, enclosures, and houses, and the country improve accordingly. There is no under-wood.

We procured horses from the Indian chief Spindlem for carrying our blankets, &c. over this portion of the route. In consequence of the dangerous nature of one part of the trail, called the "Slide," a few miles above Foster's Bar, 18 miles from Fountains, the mule trail quits the Fraser at Foster's Bar, and ascends a small stream to an elevated plateau, descending by a beautiful valley to the plateaus above the Fountains.

On the top of the pass we found (7th April) three lakes all frozen. Mr. Nicol and myself got upon one, and found the ice about $4\frac{1}{2}$ inches thick. This plateau, however, wherever the snow was cleared away, showed an uncommonly rich vegetation in grass, equal almost to that on the Pitt Meadows—a fine rich black mould—and uncommon advantages (save for its great cold) for dairy farming. It appeared as if an unbounded number of cattle might be maintained in this valley, or rather double valley and pass, the lower parts of which seemed well adapted for the plough.

The pass, which we estimated at about $16\frac{1}{2}$ miles long from Foster's Bar, opens on the two vast level plains, on the lower of which Fountains is situated.

These each of them contain apparently 1,000 to 1,500 acres, with scarcely a tree or deviation from level, covered only with bunch grass, and terminated on all sides, except towards the mountains, by precipitous descents towards the river, each of which we conjectured to be not less than 500 feet, so that the upper plateau might be 1,000 feet above the level of the river.

From hence Fraser's river is seen coming down in a succession of beds in a narrow bed, edged with high narrow benches from the north-west, closely confined by lofty mountains, from 4,000 to 7,000 feet high.

18. On the southern part of the lower plateau are a few houses, stores, and tents.

This is the Fountains. We had fresh meat here, the first since leaving Fort Yale. We found that Captain Travillot, who had promised to meet us here, had left on the previous day, leaving word that he would wait for us at the point where the Lilloet trail falls on the Fraser River. There were notifications of the new ditch orders; and that one Mr. Kelley, who kept store there, was appointed to receive payment of mining licences and other Government monies. The price of provisions was higher, if anything, here than at Lytton. The place seemed very dull. There were a few miners passing up and down. Some settlers seemed disposed to build, but the majority of those persons I saw wore an idle look; the bulk of the miners pass along the river far below, and, being supplied with their own provisions, they do not climb the high steep bank, at the top of which there is nothing to reward their pains, for the stores are of the commonest sort, and there are no drinkable liquors, nor, so far as I could see, any facilities for gambling. The spot is probably the best in the immediate neighbourhood for a town.

19. We left the Fountains the same afternoon for the place called Lilloet in this neighbourhood, *i. e.*, the spot where the Lilloet route falls on the Fraser, and which I shall designate by the name Cayoosh. The river which drains the lakes Anderson and Seton, and falls into the Fraser at this point, is called "Nkoomtch Falls." But two miles above the Fraser it receives a considerable accession in the Cayoosh brook, which, being easier pronounced, is preferable, and is used in the locality among the whites to designate the Nkoomtch proper. The trail, which is in general on a bench, with interruptions in some places, but which might easily be made into a good waggon road, passes in front of the mouth of the Seclatqua or Bridge River, at two miles; and, at four miles below Fountains, crosses by the ferry recently granted by Captain Travillot to Aimable Bonnet and Calmel. The tolls are perhaps not too high for the present rates of wages and provisions. The right is only granted for a year; and at the end of that time, or of a second year, they might probably be revised. The ferrymen were about to establish immediately a boat for foot passengers opposite Cayoosh, as it was found that many people crossed there. I saw a good deal of them during several days; they seem civil and well-conducted men.

20. Cayoosh is decidedly the most favourable position for a town that I have seen above Fort Hope, apart from its important position at the gorge of the Lilloet route. It is on the right bank of the River Fraser, at some distance from the river, and at a considerable height above it. The level benches on each side of the river, and which are all perfectly free from underwood, extend from above Fountains to a considerable distance below Cayoosh on the left bank, and terminate a little below the junction on the right bank of the Fraser, a distance of at least 11 or 12 miles in length, and of a breadth in the whole varying from one to four miles. There are probably some 20 or 30 square miles of land ready for immediate occupation, the whole of which is fit for some description of farming, and about half of it admirably adapted for any description, either sheep, cattle, or the plough. In some places it is too sandy, in others too strong for the plough, but in these places there is an abundance of bunch grass, well adapted for stock of any sort. The soil is uniformly a red loam, in some places of exceeding richness and friability, degenerating in some parts into sand, in others covered thickly with large water-worn pebbles.

I have already pointed out to your Excellency a sketch of the particular plateau on which we, Mr. Nicol and myself, thought a town could with most advantage be placed. It is on the right bank of the Fraser, immediately above its confluence with the Cayoosh.

21. Two chiefs, said to be of extensive authority, paid me a visit while at Cayoosh. They complained of the conduct of the citizens of the United States in preventing them from mining, in destroying and carrying away their root crops without compensation, and in laying wholly upon the Indians many depredations on cattle and horses which these Indians informed me were in part at least committed by "Boston men." On the other hand many cases of cattle stealing were alleged by the whites of all nations against the Indians, and stealing indeed of anything which could by possibility be eaten. For even the cattle which Indians stole they did not attempt to sell or make use of otherwise than as food; and it was admitted on all hands that many hundreds of Indians had died of absolute starvation during the winter. The Indians said that the salmon had failed them now for three years together. The whites alleged, what is obvious to everybody, that the Indians are extremely averse to work except under the pressure of immediate hunger; and that they are so improvident as rarely to look beyond the wants of the day, and never to consider the wants of a winter beforehand. If I may venture an opinion, I should think that this is much more true of the savages who have never been brought into contact with civilization, than with those who have had even a little acquaintance with the whites. We found almost everywhere Indians willing to labour hard for wages, and bargaining acutely for wages, and perfectly acquainted with gold dust and the minute weights for measuring one and two dollars with. These circumstances are inconsistent with an utter heedlessness for next day's provisions; for in all cases we had to find these Indians in provisions as well as wages. And the amount of wages for the most abject drudgery to which human labour can be put (*viz.*) carrying burthens, being 8s. per day and provisions pretty uniformly wherever we went, shows of itself a very high average rate of profit as the wages of labour in British Columbia. If this is the average remuneration of the most unskilled labour, what ought skilled labour supported by capital to earn?

It was the uniform practice of storekeepers to entrust these Indians with their goods, generally 100lbs. flour, beans, or pork, and provisions for their own subsistence. Thefts were said to be unknown, and great care taken of their burdens. And these individuals who work I found extremely fleshy and hearty. My impression of the Indian population is that they have far more natural intelligence, honesty, and good manners than the lowest class, say the agricultural and mining population, of any European country I ever visited, England included.

At Cayoosh I tried to cause a grand jury to be summoned to present all these matters formally to me; but there were not twelve British subjects there.

BRITISH
COLUMBIA.

22. The road from Cayoosh to Lake Seton four to six miles according to the point of departure, is in one part not practicable for mules. They ford the stream accordingly at present. The muleteers propose to bridge the stream before the summer floods set in. They have already bridged it in one place, between Lake Seton and Lake Anderson, at their own expense, \$180. With one exception, there is no bridge on the Lilloet trail comparable to this, and with that one exception (worth perhaps \$80 to \$100), no ten bridges on that trail are together as considerable. This part of the route might be easily made a good carriage road by means of two bridges; one of which, however, on to the bench at Cayoosh, would be a considerable undertaking. The rest of the distance would be a very simple matter indeed; the ground is flat and tolerably clear, the bottom very sound, large coarse gravel affording excellent foundation; and there is on different slides from the cliffs any amount of beautiful naturally broken Macadam of any size. The actual trail, shrinking from crossing the stream, follows generally a narrow, rocky, precipitous winding goat path along the cliff. The mules follow the other trail partly.

23. On Lake Seton there is excellent access to the water: it never freezes. There are here two or three houses used by the boatmen and muleteers. This little settlement, I suggest, may be called Seton-foot. There is a very good whale boat and a scow in bad condition on this lake. The mountains come down on it so steeply for the greater part of its length on both sides, that I should consider a road out of the question. At the upper end there were also a few houses and another boat building, probably launched by this time. It is stated that from the point where the Nkoomptch and the Cayoosh join the valley of the Cayoosh proper leads to another large lake, which leads to a pass, the other side of which descends on Harrison Lake, a distance of three days. This point of junction of the Cayoosh and Nkoomptch is of course below Lake Seton; it would of course be extremely important to discover such a pass, as it would be shorter than the present Lilloet route from the mouth of the Harrison River to the middle Fraser, especially having in view the very bad access to the upper ends of the Lilloet and Harrison Lakes at Pemberton and Douglas. I conceive, however, that a shorter way may be found which will not pass over any part of the Harrison River, and which may proceed by this Cayoosh Lake across some pass yet to be discovered, down upon a very long valley which opens upon Fraser River from the north-west, and falls upon Fraser's River about 15 miles above the Harrison, and which was noticed last January and marked in the reconnaissance then made. There are a few houses at the upper end of Lake Seton, which I suggest might be called Seton Head.

24. From Lake Seton to Lake Anderson about $1\frac{1}{2}$ mile is practicable for a cart. There seems very little fall in the stream which runs from one lake to the other. It might probably be canalized at no great expense. A steamer could then go from the upper end of Lake Anderson to the lower end of Lake Seton without unloading. I calculated the lengths at $13\frac{1}{2}$ to $14\frac{1}{2}$ miles for Lake Seton, and 12 $\frac{1}{2}$ to 13 miles for Lake Anderson. They are generally reckoned three miles longer each of them; but boatmen usually exaggerate, and I was as careful as I could, and reckoned both by estimation and time. A steamer would be very useful, as we found on all the lakes. On every one we found either a dead calm, or a fresh breeze blowing up or down the lake, sometimes both ways at the different ends, which greatly delays the navigation in the row boats now in use. On two lakes we had favourable winds; on two we were delayed for 24 hours by contrary winds.

25. At the upper end of Lake Anderson there is a pretty little site for a small town. The Lilloet trail properly so called commences here; it is a cartway for some little distance; it might very readily and for a few hundred dollars be made practicable for carts for some miles; indeed, at a very small expense, for the whole distance to Lake Lilloet. It generally follows the old Indian trail, which may be seen here and there swerving to the one side or the other. It only deviates in two places: close to Lake Anderson, and again a few miles before arriving at Lake Lilloet, in both instances apparently to avoid bridging streams which the Indians forded, and which could be bridged, the first for a very few score, the second for a very few hundred dollars. The deviations in each case appeared to be rather for the worse. There are many places in which a slight deviation and the removal of a few barrow loads of earth or of a tree or two would have effected a great improvement, but there the trail was followed.

The other deviation, near Lake Lilloet, leads by a shorter road over a hill to the lake.

The Indian trail proceeds down the watercourse to the river Lilloet, some few miles above the head of the lake, where there are reported to be some five or six square miles of exceedingly rich prairie land. If the road were carried by a bridge across the Homush or Xoblish River, and again across the Lilloet, it would run nearly on a level all the way from Lake Anderson, and would open out this fertile valley, and fall on the Lilloet Lake at a point much better adapted for a harbour than that selected, and which is only approachable within three-quarters of a mile when the lake is flooded. On neither side of the lake, indeed, is there any space for even a goat-path, unless it were hewn away. But on the side actually chosen (the east or left side) there is for miles from the lake no place where three houses could be placed together, the ground is so excessively rocky and irregular, and there is no natural facility for forming a harbour. On the right side of the lake there are two islands, which seem to invite a couple of spars to be laid, which is all that is necessary to form a beautiful harbour; and the country, once escape a couple of hundred yards from the lake, is capable enough of being built on. There is at present a complete monopoly thrown into the hands of the restaurateur in the only building at Pemberton.

26. Lake Lilloet is quite impracticable, I conceive, for a road along its shore. The terminus at the lower end (where there is also a restaurant) is very badly placed, and the people were about to remove it 400 or 500 yards lower down. This lake connects by a twisting rapid stream of about 1,200 yards with the little Lake Lilloet, extending six miles further. This may at some future day be canalized, so as to allow a steamer to run about 21 or 22 miles without unloading. At present the navigation of the upper lake stops above the rapids; and as a good level road may easily be made along the edge of the lake on the left shore, where the ground is flat, well wooded, and not too much underwood, not sub-

ject to overflow—in short, very well adapted for a road—not much use can perhaps at present be made of this lower or smaller lake.

27. For 20 miles further there might easily be a cart road carried down the Lilloet, which it would probably be necessary to bridge twice. Mr. Nicol conjectured that a good bridge might cost \$800 or \$1,000; but this was, of course, an estimate of the loosest description. There are some very curious hot wells about $13\frac{1}{2}$ miles from the lower end of the Lilloet Lake. The water issues from a mass of conglomerate, six or eight feet high, and the same width, partially imbedded in the hill side. From the centre issues the hot spring, large enough to fill a trough of the area of four inches square, probably at a height of about two feet from the bottom of the rock.

On each side, out of the same mass of conglomerate, there issues a spring of cold pure water, of about the same bulk, and all three unite in a small pool, and form one stream, which falls into the Lilloet about 100 yards off. The trees in the neighbourhood are of a singular vigour and beauty; both hemlock, cedar, &c., and also maple and other deciduous trees. The water is extremely soft and agreeable to wash in; it has a slight sulphureous taste, and also is slightly chalybeate. It has a very perceptible odour, but is perfectly clear and colourless. We had no means of testing its temperature accurately, but even after some admixture of the cold springs, it is hotter than the hand can bear. I should say probably 140° F. We gave to it the name of St. Agnes' Well.

28. The last 15 or 20 miles of the trail towards Port Douglas undoubtedly present greater difficulties than all the other part of the Lilloet route; and the worst part is that immediately falling on the Harrison Lake, which at present terminates at Port Douglas.

This situation, though romantic and beautiful, and offering to vessels lying in its little lake a secure harbour during seven or eight months in the year, has such natural defects that nothing but necessity can justify its adoption or retention for a moment. For four or five months in the year, if not for a longer period, it may be said to be inaccessible either by land or water, except on foot.

It is situated at the foot of a hill; the trail ascends for upwards of an hour immediately from high-water mark; and we found the greater part of this hill encumbered with snow to such an extent (18th April), that pack mules could only make 10 miles in two days, and were nearly exhausted with that distance. In summer time the snow will not be there, but the waters will then be out; and it is to be apprehended that some parts of this trail will be less passable in June than in April. The snow, though often four and five feet deep, had begun to melt a good deal during the day, though it generally froze again at night; and the trail was in several places for 100 yards ankle deep in water; indeed, it often appeared as if the trail had been led into and along the dry bed of some watercourse by the persons who undertook to make the trail; a plan which is open to the objection that when the waters are out, and a road is most needed, the road is at its worst. This observation is not to be confined to the portion of the trail next Port Douglas; on the contrary, this part shows more frequent indications of the hand of man than any other portion of the route. At one point, however, it is particularly annoying to find that the trail is conducted up and along some rather unusually broken ground into the very centre and strength of a waterfall of considerable size, far more than sufficient to turn any ordinary mill; and although we were able to scramble round it at a considerable risk of a tumble and ankle deep in water, it is probable that neither mule nor man can pass there in June. Neither mule nor man could have stood on the trail when we were there. The waters were not out when the trail was laid out. And it is of the utmost importance that the whole locality should be carefully surveyed before the floods, and then again when they are at their height.

29. To return. Behind Port Douglas there stands this difficult hill; before it lies a frozen lake for four months in the year, and when it is thawed (it had been quite open for some time when we were there), this little lake, about 2,000 yards long by 250 to 600 wide, communicates with Harrison Lake by a tortuous, shallow, rapid stream, bearing only 12 inches water at its shallowest part (19th April). There is some flat land at the mouth, on both sides, but on the right bank liable to overflow; on the left dry; but both are liable to be frozen up, by an unimportant bar of ice, however, compared with that which obstructs Port Douglas.

It is always referred to by storekeepers and carriers as the very worst and most difficult part of the whole trail to effect a transit over the frozen inner lake. A road might easily be constructed of a mile and a half in length along the left shore of this lake to the flat in question, which, however, will never be a good site. Better, however, than the present, which, if even the narrow channel and hill be disregarded or improved, has an irremovable objection in its ice, which this plan would avoid. An application for the purchase of all this flat has been made by a man named Duncan Robertson. There has been no measurement; it may be only 20 acres, but I should think nearer 50. It is densely wooded; so is all the valley behind Port Douglas.

30. On the right bank of the Lilloet a large flat is formed, analogous to the delta at the mouth of many rivers, at present bearing a most magnificent growth of timber, principally cedar and hemlock. The soil is alluvial and decayed vegetable matter, forming a rich red mould.

One or two small streams from the mountains north-west of the Harrison Lake fall through it. It is possible that a town might be raised here. In many respects it would have great advantages. It would have an open port all winter, and a level road up the valley of the Lilloet. Whether it could be carried up that valley for four miles (where we quitted the stream), or even higher, by crossing and re-crossing the stream, Mr. Nicol will probably report. We conceived that it would do for the site of a town when cleared, but the clearing would be very expensive; floods would probably, at all events, occasionally overflow the greater part of the level; and the bridging difficulties might be serious.

The Lilloet here is very violent, as is shown by the enormous bulk and quantity of drift wood with which the upper end of Harrison Lake is strewn, and which far surpass anything I have ever seen. We attempted to ascend it in hopes of arriving at some level ground which we had been assured exists at a distance of three miles from the lake, and accessible for navigation; but although the river is navigable

BRITISH
COLUMBIA.

or canoes, we satisfied ourselves that steam navigation was impossible. There is a fall of 15 feet in the 250 yards immediately above the lake, and a tortuous channel besides.

31. Bad as any harbour must be at this end of the lake, this side (the extreme right of the river mouth) offers the best position, and, with the aid of the drift wood, a floating breakwater might be made. The only winds which are ever felt, apparently blow up and down the lake, and we found on our passage that the winds follow the shores.

32. It was surprising, with a population so unsettled, so often a great part of it at least changing, and so little habituated to the presence of law or justice, to find very few complaints; none of violent crimes.

It was alleged that liquor was sold unscrupulously to Indians. Some cases of alleged breach of contract, which the defendants maintained to be mistaken contracts, were brought forward; and it was also given us to understand that those who brought such circumstances to our notice were amongst the most audacious infringers of the law when the officers of the law were absent. It is, of course, impossible ever to do sudden justice under any written system of laws, and our efforts were not always successful in endeavouring to obtain in any way immediate satisfaction. But in a political point of view these individual mischiefs were lost sight of, when it appeared that there was on all sides a submission to authority, a recognition of the right, which looking to the mixed nature of the population and the very large predominance of the Californian element, I confess I had not expected to meet. On the banks of the Lilloet there are very remunerative diggings, which I mention (though well known already) in order to make the remark that the gold in British Columbia is not all brought down by the Fraser, nor is the source of the gold confined to one region only in the canoe country or elsewhere. The upper Lilloet valley is separated from the Fraser by mountains in such a way as to exclude the idea that its course is through the primeval bed of some lake into which the ancient Fraser emptied all these treasures; or if not the result would be the same, since the lake must have included half the colony at least.

The landing and embarking at Port Douglas appears to be extremely inconvenient. A great part of the town apparently will in June be standing in the water, and so far it will be convenient that barges should come alongside of the stores; but goods will have to be moved in boats. And I should think it must be very unhealthy. It is by far the most active, stirring looking place we saw, nearly as large as Fort Yale.

33. The shores of Lake Harrison are in general steep to the water, and inaccessible for roads. There are some important breaks on the left shore leading, as is believed, to the Cayoosh Lake. Another near the foot is reported by the Indians to lead in three days to the forks of Thompson's River. But the rapids between the lake and Fraser River offer a very serious obstacle to the navigation here, and it may be that a short portage across from Fraser River into Harrison Lake may be found advisable, from a point above the mouth of Harrison River into the lake near the hot spring, which we did not visit, but named St. Alice's Well.

The distance from the lake to Fraser River I estimated at $11\frac{1}{2}$ or 12 miles. The greater part of this is navigable for vessels of considerable draught. There is a shoal all along the exit from the lake, bearing five to six feet in its shallowest part. About half way down to the Fraser a considerable river comes in on the right bank, flowing from the reverse of the mountains or rather hills which lie west of Harrison Lake. This seems to change the nature of the current; however, from whatever cause, I never saw a river bed present a similar appearance. The shores being flat and liable to overflow, the river proper occupies a bed of some mile or mile and a half in width, extremely irregular in depth, gravelly, sometimes nine feet deep, and at a boat's length down the stream not nine inches. The boatmen allege that this is caused by the salmon digging with their snouts. Giving the greatest credit to the fish and fishers for their industry and love of the marvellous, I thought it much more nearly resembled the effect of the "ripple-mark" observed in sands at low tide, and also in dry sands exposed to steady winds. But I never saw the appearance on such an enormous scale; in the summer, when the waters are high, stern wheelers can pass. But it must take a vast increase in the body of the water, and equivalent to a great many inches rise in the Fraser itself, to raise the surface of this part of Harrison River by a single inch, being very rapid and of the breadth I have mentioned.

The remainder of my route is so well known to your Excellency, that I shall gladly bring this extremely lengthy communication to a close.

34. The chief points which struck me, to make a brief re-capitulation, were:—

1st. The ready submission of a foreign population to the declaration of the will of the executive, when expressed clearly and discreetly, however contrary to their wishes.

2ndly. The great preponderance of the California or Californized element of the population, and the paucity of British subjects.

3rdly. The great riches, both auriferous and agricultural, of the country.

4thly. The great want of some fixity of tenure for agricultural purposes.

And 5thly. The absence of all means of communication, except by foaming torrents in canoes or over goat tracks on foot, which renders all productions of the country, except such as, like gold, can be carried with great ease in small weight and compass, practically valueless.

His Excellency Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) MATT. B. BEGBIE.

DISTANCES.

BRITISH
COLUMBIA.

	Miles.	Days' Journey.	
Fort Yale to—			
Spuzzem - - - - -	—	1	Much snow; regained the river after 4 miles.
Quayome (Boston Bar) - - - - -	—	1½	
Lytton (Fort Dallas) Thompson Forks - - - - -	—	2½	
Foster's Bar - - - - -	—	1½	
Fountains - - - - -	—	1	
Cayoosh - - - - -	—	½	This is half a day including the starting, unloading, &c., and ferry. It is a perfectly clear meadow.
Seton Foot - - - - -	—	—	
Seton Head :—Length of Lake Seton to Lake Anderson- - - - -	1¼	—	The boatmen say 18 miles.
Anderson :—Length of Lake Anderson - - - - -	—	—	The boatmen say 16 miles.
Pemberton (on Lake Lilloet) - - - - -	24¾	2	There is a good half-way house.
Lake Lilloet :—Length of Upper Lake - - - - -	—	—	
Hot springs, including Lower Lake, 6 miles long - - - - -	13½	1	
Port Douglas - - - - -	21	2	Another extra day for mules. Four days from Lake Lilloet to Port Douglas.
Lower end Harrison Lake - - - - -	—	—	
Harrison River (from Lake to Fraser) - - - - -	12	{ 14½ hrs.	From Port Douglas. Fore winds and down stream.

On foot the whole way, except on the lakes and below Harrison Lake. The distances are estimated partly by adding the different distances guessed at as we came along the trail; some by time and estimated rate of speed. We generally walked 7 or 8 hours besides stoppages, sometimes 10 hours.

No. 15.

No. 15.

COPY OF DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,
July 1, 1859.

(No. 175.)

(Received August 26, 1859.)

SIR,

I HAVE duly received your Despatch No. 32,* of the 15th March, in reference to the admission of barristers and attorneys to the Court of British Columbia.

* Vide papers presented August 1859, page 81.

2. The liberal measure of allowing foreign counsel to practise in the Court of British Columbia has been attended fortunately by no evil effects, no foreigners having either practised in the Court or otherwise derived any advantage whatever from the concession, one cause for which may be assigned to the fact that the country has enjoyed a singular degree of quiet, and almost an exemption from troublesome litigation.

3. The privilege granted by the order of Court in favour of attorneys and solicitors of the Supreme Court of the United States expired yesterday, and will not be renewed, as numbers of English lawyers have arrived, who purpose residing here permanently and practising both in the Courts of British Columbia and Vancouver's Island.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 16.

BRITISH
COLUMBIA.
No. 16.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 182.)

Victoria, Vancouver's Island, July 2, 1859.

(Received August 26, 1859.)

(Answered, No. 24, September 23, 1859, page 102.)

SIR,

* Vide papers
presented
August 1859,
page 82.

I HAVE had the honour of receiving your Despatch No. 48,* of the 11th April last, having reference to the disturbances which occurred in January last at Fort Yale, and forwarding for my information the copy of a letter from Lord Naas, with an inclosure from the Chief Inspector of the Constabulary in Ireland relative to the request made for a body of the Irish Constabulary to be sent to British Columbia, and representing the necessity for further information upon various points of detail mentioned.

1 Enclosure.

2. I have given immediate attention to that matter, and have the honour to forward herewith a statement which will supply the information required.

3. With reference to your remarks respecting the inability of Her Majesty's Government to undertake the expense, partially or otherwise, which the proposed police force would entail, I have only to observe that in such case it will be advisable not to send out the force, as it is impossible to raise money in the colony at present to meet the expenditure that would thereby be incurred; and, moreover, the military force now in British Columbia and the gradual accession of a British population render the step every day less a measure of necessary safety.

4. The population of British Columbia would, as you correctly surmise, zealously come forward if required for their own protection; but it has always appeared to me a most dangerous policy to put the sword into the hands of aliens who have no love for British institutions, and who might turn it against the Government whenever it suited their purpose. The geographical position of British Columbia must be remembered, and it also must not be forgotten that until lately British subjects formed but a small portion of the multitudes that poured into the country; and although I firmly believe that among the thousands of persons who have since departed from the colony scarcely one British subject could be found, still even in the population that remain the proportion of British subjects is far from being in the ascendant. The difficulties attendant upon the employment of a volunteer force upon occasions of emergency are consequently great; but, apart from other considerations, there is one very grave objection which particularly presents itself. In a gold-producing country men cannot and will not render their services to the Government gratuitously, and the amount of recompence they expect is exorbitant. Upon the occasion of the disturbances at Fort Yale certain volunteers were employed by Colonel Moody. These men cheerfully and most zealously afforded their services, so much so, indeed, as to call forth a warm letter of commendation from Colonel Moody; but they demanded 5 dollars a day for their services and as compensation for their loss of time, and under the circumstances I was compelled to meet the demand. I am strongly inclined to believe that, as a measure of wise policy and of sound economy, it is beyond doubt advisable to employ none but British subjects in protecting British territory.

5. I have read with due attention your remarks respecting the provision to be made for the repayment by the colony of the advances made from the mother country for the equipment and conveyance to British Columbia of Colonel Moody's party of Royal Engineers. The colony is most anxious to acquit herself of every obligation conferred upon her, and she is quite capable of meeting all her civil expenditure in a befitting and proper manner, but the cost of the maintenance of the military force, with the heavy charge for colonial pay, is at present more than her finances can bear. The development of the country has been stayed for want of funds, and the amount of revenue has in consequence fallen far short of my expectations. I cannot refrain from remarking, however, that the expense of sending the Royal Engineers to British Columbia is a charge than can scarcely with perfect justness be assigned to the colony, seeing that after all the object in view was one purely of an Imperial character. But be that as it may, Her Majesty's Government must be lenient and kind, and must, until the colony is in a condition to discharge her liabilities, look for repayment in the acquisition of a magnificent domain, which will give an expansion to British trade and influence in this part of the world that now can be sufficiently appreciated, and which was unattainable by other means.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in No. 16.

Encl. in No. 16.

ANSWERS to the QUESTIONS proposed by the Inspector General of the Irish Constabulary, dated March 15, 1859, and forwarded in Lord Naas letter of the 21st March, relative to sending out part of that force to British Columbia.

1. What number of men of each rank, Head Constables, Constables, and Sub-Constables, would be required?

None of the superior ranks would be required, as there are in the Colony many applicants for employment of such capacity, officers who have served in the army, &c. The following establishment is proposed, of which the constables and the sub-constables only need be sent out:—

- 2 Sub-Inspectors.
- 6 Head Constables.
- 25 Constables Serjeant.
- 117 Sub-Constables or Privates.

2. Would the men be required to engage for a particular period of service, for an unlimited period, or upon what other conditions in that respect?

For six years.

3. Upon what conditions would they be engaged in regard to retiring allowance or pension, and would past service in the Constabulary at home be recognized and allowed for?

No retiring allowance or pension could be accorded by the Colony, but a free grant of six acres

of land after six years' faithful service in the Colony would be made to them by the Colony.

4. Would married men, or what portion of them, be accepted?

Married men would be preferred.

5. Any limit as to age?

From 21 to 35 years of age.

6. Presuming that the men themselves would have a free passage, would this provision extend to wives or to families in the case of married men, should such be accepted?

It would be desirable that a free passage should be given to the wives and families of the men.

7. Relative to pay.

The following is the rate of pay proposed:—

Head Constables or Serjeant Major, ten shillings per diem.

Constable or Serjeant, nine shillings per diem.

Sub-Constable or Private, eight shillings per diem.

They would be required to feed themselves, but would be provided with lodging, and one suit of clothing annually.

JAMES DOUGLAS.

No. 17.

No. 17.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 183.)

Victoria, Vancouver's Island, July 2, 1859.

(Received August 26, 1859.)

Sir,

I HAVE duly received your Despatch of the 12th April last, No. 50,* in reply to my proposal to purchase or build a steam vessel intended for the transport of troops and Government stores in Fraser's River, and as a means of restraining the refractory and of enforcing law and order among the population of the mining districts.

2. I observe that Her Majesty's Government, without doubting the judiciousness of the plan for local interests, decline giving it their countenance or support. I rejoice, therefore, that circumstances subsequent to the date of my Despatch induced me to defer the execution of the project until I received your reply. I will now abandon it altogether, or until such time as the colony may be in a condition to defray the cost from her own resources.

3. You again call my attention to the circumstance of the liability to the mother country which the infant colony of British Columbia has incurred in the earliest step taken by the Home Government for her establishment and protection. Her Majesty's Government may rest assured that, when the colony can do so, the obligation will be faithfully repaid. She can only attain to that condition when her resources are more fully developed, and it is undeniable that her development has been retarded, and my hands have been tied through the want of funds to undertake and carry out important and indispensable public works. The assistance of a Parliamentary grant would have enabled me months ago to have adopted such measures as to settle and retain a large population in the country, and to hold out inducements to British subjects to flock to this desirable land. Upon the first intimation of the discoveries of gold thousands poured into the country, and spread abroad throughout its length and breadth, without a thought, and apparently without a care, as to how a land hitherto wild and uninhabited, except by the native Indian, was to provide them with the means of subsistence. Gold was found,

* Vide papers
presented
August 1859,
page 85.

III.

E

BRITISH
COLUMBIA.

and in quantities beyond the usual yield in the neighbouring and older gold districts of California. So long as his scanty stock of provisions lasted, the adventurous miner was content; but when the winter approached, and the rugged mountain passes no longer afforded the means for introducing further supplies, he was exposed to privation and hardships of no ordinary description. Numerous were the departures from the country in consequence, and those leaving did not fail to exaggerate their ills and to spread abroad reports most unfavourable to the country. This might naturally have been expected to some extent, under any circumstances or condition of the country; for, the wildest notions being entertained of the facilities which existed for acquiring instant wealth, disgust and ill-feeling soon followed the non-realization of extravagant expectations; but had the means been at my command, much might have been avoided. I used the most strenuous efforts to facilitate the introduction of supplies, but my resources were limited, and I could only partially open one route, although 15,000*l.* from the revenues of the colony were expended in the object. The difficulties to be overcome in opening out the country of British Columbia are of no ordinary character, and the expense attending all works of labour is enormous; but I do not despair of the benefits resulting in time repaying the outlay. In another Despatch of this date I have mentioned that the colony can and will support in a befitting manner all her civil staff, large as that staff is, in consequence of the extensive nature of the country and the scattered condition of the inhabitants; but the cost of the military establishment is a charge that she cannot at present find the means to meet, for it alone would more than absorb the entire revenue of the colony; and, therefore, for the present, we must earnestly hope that the mother country will be kind and generous, and will not refuse her aid to this her youngest, but not least valuable colony; for the day will undoubtedly come, and may not be far distant, when the possessions of Great Britain in this part of the world will exercise no insignificant or unimportant influence on the fast-spreading interests in the Pacific Ocean of other great nations.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 18.

No. 18.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

July 4, 1859.

(Received August 26, 1859.)

(No. 185.)
SIR,

THE latest intelligence received from Mr. Sanders, the Assistant Gold Commissioner for the district of Fort Yale, is very interesting and of a cheering character.

2. That gentleman in his last report, dated the 28th June, states that accounts from Prince Albert's Flat continue to be favourable, and the miners who have taken up claims there assure him that the Pay Streak yields 5 cents to the pan, which they consider a fair return for their labour; and Mr. Sanders is of opinion that the Flat, which is of great extent, will afford profitable employment to hundreds of miners for years to come.

3. A mining bar, about seven miles above Yale, commonly known as Sailors Bar, which is occupied by a person named Mead and another, who are the sole grantees of two springs yielding sufficient water to supply three sluice meads, are making, according to their own statement, 50 dollars to the man a day. In consequence of the small supply of water on this extensive bar it is unavoidably monopolized by these two men, and will afford them employment at the same rate of remuneration for many years to come.

4. Some Chinese miners have settled on an elevated bank on Fraser's River beyond Spuzzem, and as there is no water on the spot, and their own small means are insufficient to bring in an artificial supply from the neighbouring mountains, they convey the soil for washing in wheelbarrows to the river's edge, a fact which goes far to prove the extreme richness of the deposit.

5. These elevated banks have long been known to be rich, but there being on many of them no natural supply of water, it will require a considerable capital to bring in supplies of that indispensable element.

6. The ditch on Emory's Bar has been moved back, in order to facilitate the working of the bank, which has, however, not proved so productive as expected.

7. The miners on Hill's Bar are sinking shafts in the mountains, in rear of the bar; but when Mr. Sanders last visited the spot, on the 21st June, they had not attained to a sufficient depth to determine the value of the auriferous soil with any degree of positiveness; the miners were, however, quite satisfied from the indications of the beds of earth that their endeavours were likely to prove successful.

8. Mr. Sanders laments the great loss of gold arising from careless working and the want of proper means to retain the "rusty gold," and remarks that one-half at least of the fine gold escapes on the surface of the water used in washing, nor will "rusty gold" amalgamate with quicksilver, and he states, in proof of the superficial, ineffective manner in which the diggings are worked, that an experienced and well-informed ditch-owner assured him that he would have no hesitation in undertaking to work over again those parts of Hill's Bar which are supposed to be exhausted, with a certainty of realizing from 6 dollars to 8 dollars a day for each man employed. Yet, on this bar many miners have taken out of a 25-foot claim as much as 6,000 and 7,000 dollars, exclusive of cost of labour, water, and subsistence.

9. The miners are full of confidence in the resources of the country, and are looking forward to great discoveries in British Columbia. They seem to think that parties should be organized to prospect the interior, and good miners have offered their services for that object, on condition of being furnished with food and rewarded, in the event of success, with grants of mineral land or a quartz-lead claim.

10. Mr. Sanders further reports that the accounts from the upper districts of Fraser's River are most encouraging, rich alluvial diggings having been found in the neighbourhood of Fort Alexandria, and extensive and rich dry diggings near Lytton.

11. Mr. Sanders had also been informed that silver has been discovered to the eastward of Sailors Bar, and he promises to procure and forward specimens next week. It is also reported that quicksilver had been discovered, but the Commissioner thought it not impossible that the discoverer had mistaken red sandstone for "cinnabar," the mineral which contains quicksilver.

12. Mr. Sanders' report contains nothing further of importance.

13. The opening of roads through the mountainous districts of British Columbia into the interior is now the object which has the strongest claim upon our attention. A party of Royal Engineers are now employed in making the road from Fort Hope to Boston Bar, and a detachment of Royal Engineers and Royal Marines, exceeding 100 men, are employed in widening and improving the Harrison Lilloet Road.

14. The transport by that road into the interior is already very great. About 100 pack mules leave Douglas weekly with freight for Bridge River. From returns made up at Douglas it appears that 3,600 tons of provisions have been carried over that road since it was first opened, in the month of November last. The rate of freight by that route rose at one time last winter to 37 cents a pound, a state of things induced by the want of competition and by the severity of the weather, but it is now reduced to 10 cents a pound all through from Douglas to Bridge River, and from this place (Victoria) to Douglas 1½ cents, making the whole expense of freight from this place to Bridge River, a distance of 316 miles of inland transport, 11½ cents a pound, which is reasonable compared with what the charge once was, though still susceptible of reduction.

15. The regular settlement of the country by a class of industrious cultivators is an object of the utmost importance to the colony, which is at present dependent for every necessary of life, even to the food of the people, on importation from abroad.

16. It is thus drained of its wealth, and its progress retarded; evils which must exercise a depressing influence on the country at large until it possesses a fixed population and produce of its own.

17. The mining population are proverbially migratory and unsettled in their habits, seldom engaging in any other than their own absorbing pursuits; and, therefore, it is he who tills the soil—the industrious farmer—who must clear the forest, bring the land into cultivation, and build up the permanent interests and prosperity of the colony.

18. We are for that reason most anxious to encourage the actual settlement of the country, and that the process should commence on the sea coast, and spread from thence, as much as possible, continuously along the course of the great rivers into the interior.

19. There are considerable tracts of level land and some prairie land on Fraser's River. The country on Harrison's River and Lake is less favourable for settlement, the lake, about 35 miles in length, being on all sides bounded to the water's edge by precipitous

BRITISH
COLUMBIA.

mountains, and not comprising, I believe, throughout its whole extent, 500 acres of land fit for cultivation. The valley of Harrison's River does contain some level land, but the quality of the soil is arid and stony.

20. Nothing, however, can surpass the imposing beauty of the mountain masses and deafening cataracts of those two districts, the admiration of every lover of the sublime and picturesque in scenery.

21. They are, moreover, not without value in other respects, possessing as they eminently do, in boundless extent, pine forests of the largest growth and finest quality, with an almost unlimited amount of water power, readily applicable for propelling machinery at the smallest expense.

22. With the further advantage of a safe water communication to the sea, the inhabitants of those districts will doubtless turn their attention to the export of spars and deals, which can be rafted at little cost to Queensborough, and thence shipped to all parts of the world, a trade that must eventually become a great source of wealth to the country.

23. The geological phenomena observed on the banks of Harrison's River favour the belief that the district is auriferous, and this opinion receives corroboration from the fact that a party of French miners have worked the gravel beds of that river with a marked degree of success, their joint earnings having averaged about 7 dollars a day to the man, and they are now making earnest preparations for renewing the operation as soon as the river abates.

24. The present white population of Douglas is about 150 souls. I was much pleased with their conduct when recently on a visit to that place; they came forward in the most liberal manner, after an address from me on the subject, to tender a subscription of about 300 dollars, and the offer of an assessment of 10 per cent, on the value of their property, in aid of the road to Bridge River. I thanked them for the support thus tendered, and promised to make honourable mention of their act to Her Majesty's Government.

25. A water power sawmill of great capacity, with a planing and grooving machine attached, has been lately erected on one of the mountain streams that sweep through the town of Douglas, and I have no doubt that the enterprise of Mr. McDonald, the spirited proprietor, will meet with a rich reward.

26. Colonel Moody is making great efforts to bring surveying parties rapidly into the field, but the survey of the site of Queensborough, and other necessary work, has led to unavoidable delays, and no country land has as yet been brought into market. There is much popular clamour on that account, and should the pressure for land be great, I think it will be advisable to meet the emergency by establishing some temporary system of occupation, which would enable settlers to hold and improve certain specified tracts of land under a pre-emption right until the surveys are completed, when it might cease to be in force.

27. The declared value of imports into British Columbia for the quarter ending the 30th June amounts to 247,755 dollars 66 cents, and the revenue derived from customs duties for the same period amounts to 4,133*l.* 16*s.*

28. There is some excitement at present about the gold diggings of Queen Charlotte Island, and application has been made to me for aid and protection on the part of the Government.

29. If a party of sufficient strength for self-protection can be united for the purpose of exploring that island, and developing its mineral and auriferous resources (which I believe to be valuable), and thus form the nucleus of a settlement. I will at once enter into communication with the senior naval officer present, requesting him, if possible, to detach one of Her Majesty's ships now here to accompany and give the party such aid and assistance as may be requisite on their first landing, and to remain near them until they can construct works for their protection against the natives, who are numerous and troublesome.

30. I have only further to report the general tranquillity and welfare of the colony. The numbers of the "Victoria Gazette" mentioned on the margin are herewith enclosed.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

June 9 to
July 9.

No. 19.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

BRITISH
COLUMBIA.

No. 19.

(No. 189.)

Victoria, Vancouver's Island, July 6, 1859.

(Received August 26, 1859.)

(Answered, No. 15, September 5, 1859, page 100.)

SIR,

I HAVE the honour to forward to you herewith for your approval and confirmation a return of the provisional appointments I have made to offices, which there was an absolute necessity for establishing in British Columbia, between the 1st January and 30th June 1859.

Enclosure.

I have, &c.
The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in No. 19.

Encl. in No. 19.

A RETURN of Provisional Appointments made by the Governor of British Columbia, between the 1st January and 30th June 1859, and now submitted for Approval and Confirmation.

Date of Appointment.	To what Office.	Name.	Rate of Salaries per Annum.	Where stationed.	Date of Letter of Introduction from Colonial Office.
1859. 19 April -	Stipendiary Magistrate and Justice of the Peace	Warner Reeve Spalding.	300	Queensboro'	21 Oct. 1858.
"	Ditto - - - -	Peter O'Reilly -	250	Langley -	Dec. 3 1858.
1 March -	High Sheriff - - -	Charles S. Nicol -	250	Port Douglas.	—
8 June -	Stipendiary Magistrate and Justice of the Peace.	Thomas Elwyn -	250	Lilloett.	—
"	Ditto - - - -	Henry Maynard Ball	250	Lytton -	8 Mar. 1859.
1 April -	Assistant Gold Commissioner.	Edward Howard Sanders.	350	Fort Yale -	11 Nov. 1858.
19 April -	Chief Clerk in the Colonial Secretary's Office.	Charles Good -	350	—	—
7 March -	Chief Clerk in the Treasury.	John Cooper -	300	—	—
23 May -	Clerk in the Custom House	William Hutton M'Crea.	200	—	—
8 February -	Registrar of the Supreme Court.	Arthur T. Bushby -	250	—	—
8 April -	Revenue Officer - -	Charles Wylde -	200	Langley -	3 Dec. 1858.

(Signed)

JAMES DOUGLAS.

No. 20.

No. 20.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 194.)

Government House, Victoria, Vancouver's Island,
July 23, 1859.

(Received September 7, 1859.)

SIR,

I HAVE the honour to acknowledge your Despatch No. 63,* of the 11th May, transmitting for my information and guidance, copies of a correspondence with the Admiralty and other Departments of State, relative to the erection of lighthouses on

* Vide papers
presented
August 1859,
page 87.

BRITISH
COLUMBIA.

certain of the salient points of the Straits of Fuca and the approaches to Esquimalt harbour, and I feel highly gratified by the intelligence conveyed in your Despatch of the intention of Her Majesty's Government to advance the sum of 7,000*l.* for the construction of those important works, on the condition that one moiety of it shall be repaid by the Colonies of Vancouver's Island and British Columbia jointly, and measures will accordingly be adopted for that purpose.

2. I observe that you have requested the Board of Trade immediately to send out the lanterns and light apparatus, and that the Lords Commissioners of the Admiralty have been requested to instruct the naval officers stationed here to give me every assistance to facilitate the work.

4. I depend greatly on Captain Richards, R.N., for the selection of the proper sites, and with him I will associate a Committee of Naval Officers and experienced Ship Masters, so that the choice may be made with due care and discrimination.

5. You may also rest assured that no time will be lost in carrying into effect an undertaking which promises to be so highly conducive to the commercial progress of the country.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 21.

No. 21.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 201.)

Victoria, Vancouver's Island, August 16, 1859.

(Received October 10, 1859.)

(Answered, No. 30, October 20, 1859, page 104.)

SIR,

Enclosure.

1. I HAVE the honour of transmitting for your information the report of an overland journey of survey in the districts of British Columbia, bordering on the Thompson, Fraser, and Harrison Rivers, undertaken at my request by Captain Richards of Her Majesty's Ship "Plumper," and conducted by Lieutenant Richard Mayne of that ship, who has performed the service on which he was detached with a degree of success and ability creditable alike to the talents and enterprise of that useful and active officer.

2. The report contains much interesting topographical information, and is accompanied by a valuable explanatory map of the countries described.

3. I would submit how desirable it would be to have this map lithographed in England, and distributed there, and a few sets sent out for sale and distribution in the Colony.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Encl. 1 in
No. 21.

Enclosure 1 in No. 21.

H.M. Ship "Plumper," Esquimalt, Vancouver Island,
July 7, 1859.

SIR,

I HAVE the honour to forward, in compliance with orders from Captain Richards, R.N., a copy of my sketch of part of British Columbia, and my report on the same; also a box of geological specimens collected by Dr. Campbell.

I have, &c.

His Excellency J. Douglas, Esq., C.B.,
Governor, &c.

(Signed) RICH. C. MAYNE, Lieutenant.

Sub-Enclosure in No. 21.

H.M.S. "Plumper," Esquimalt, Vancouver Island,

July 7, 1859.

BRITISH
COLUMBIA.Sub-Encl. in
No. 21.

SIR,

I HAVE the honour to report that in pursuance of your orders after leaving H.M. Ship under your command I proceeded to Langley, and taking the first steamer to Fort Hope, reached that place on the 23rd of April.

I left Fort Hope on the 29th, and reached Fort Yale on the same evening.

The part of the Fraser River between Forts Hope and Yale is so well known that I need not speak of it, except perhaps to say that several rocks must be removed before it can be made reasonably safe for steam navigation, and that I feel sure, both from the geographical position of Fort Yale, and the nature of the country between it and Lytton, it will be many years before it would be remunerative to do that.

We left Yale on May 2nd, and followed the river trail to Lytton, which we reached on the 7th.

The distance by trail from Yale to Lytton is about 60 miles, and the ground over which the trail passes is the roughest on which I have ever travelled, the greater part of it being over sharp pointed rocks or granite boulders. Some of the ascents in the Great Cañon, which is 6 miles long are from 30° to 36° and nearly perpendicular over the water. The current in the narrowest parts I estimated at 15 or 16 knots an hour. During the whole summer this part of the river is impassable for boats going up, and though some few people have come down it in safety, a great many have perished in the attempt.

There is hardly any land fit for cultivation between Lytton and Yale. There is a small flat at Spuzzum, and several above Boston Bar, but they only average 200 or 300 yards long by 50 or 60 wide, and are almost all thickly timbered, and covered with granite boulders. The largest one is about 9 miles below Lytton and is fenced in, I believe by an American, though no one is living there now. It is about 1,000 yards long by 400 yards wide, well covered with grass, but very sandy soil.

From Yale to Boston Bar, the vegetation is limited to pine trees and a few alders, wild onions and vetches growing among the rocks. Above Boston Bar it improves, and on the flats before mentioned there are currants, cherries, gooseberries, and Oregon grapes in considerable quantities, and willows and maple in addition to the pine and alder.

About 2 miles above Boston Bar we found a bed of fine clay slate, running in an easterly direction; dip ranging from 5° to 40°, strike about 25°; and about 3 miles further on we come to a bed of limestone, the only one we saw between Yale and Lytton. The surface was very small. With the exception of these two beds, and a very small surface of clay slate, close to Spuzzum, we saw nothing but granite, both in the mountains and in boulders of every shape and size, some at Wellington Bar being 10 or 15 tons weight.

There is a ferry at Spuzzum, and another at Boston Bar. The former it is not necessary to cross travelling on foot, but the latter must be crossed to get to Lytton.

There are several "restaurants" along the road (every place where anything can be got to eat is called a restaurant in this country), where tea, coffee, bread, bacon, and beans can be got, as well as a plank to sleep on, and these places are at such distances apart that no man possessed of any money need sleep out.

At Chapman's and Boston Bars there are large stores belonging to the express men, Messrs. Wells, Fargo, and Co., and Ballow.

The mule trail leaves the river at Yale and meets it at Spuzzum, crosses it there, and again leaves it until reaching Lytton. It was blocked up by snow when I went up.

Lytton is at the Forks of the Thompson and Fraser rivers, on the south bank of the former, and west of the latter, and is composed of 8 or 10 stores, and a Government house. The site of the town is nearly 300 feet above the river, on the upper of two benches, the lower of which is about 200 feet above the water. The bank on the opposite side of the Fraser is in three benches, the highest being about 600 feet, and the river is 576 feet wide at this season. The opposite bank of the Thompson is about the same height as Lytton. The Thompson River is about 150 yards wide at its mouth, and there is a horse ferry across it for trains going to the Fountain, &c., &c. It is always blowing hard from north or south, the latter wind prevailing in summer, and the clouds of dust which continually sweep across the flat make it anything but a desirable spot for a residence.

We left Lytton for Kamloops, a post of the Hudson's Bay Company on the Thompson River on the afternoon of the 9th of May, and followed the south bank of that river for 9 or 10 miles, when we ascended a steep hill for about 1½ miles, and came to a valley extending about 10 miles to the eastward, well covered with grass, and hemmed in by hills 700 or 800 feet high. From this point the aspect of the country became much more promising than the valley of the Fraser. After traversing the whole length of this valley, we went down upon the Nicola River, and fording it, followed its left bank till we came to the Nicola Lake.

The Nicola River is far prettier than any others I have seen in the country. It is very rapid and full of small islands and sand banks, and winds along in reaches of about half a mile long. At each bend there is a flat of 5 or 6 acres of clear grass land which would be very valuable were they not constantly flooded in summer; in some places the banks are high enough to prevent this, but generally the soil does not appear to be so good as where the banks are low, and the rise of the river is so different in different years that it would require a residence of several summers to know which are flooded and which are not. Another great drawback to agriculture is a deposit of nitrate of soda, which though we first noticed it here appears, more or less, through all the country. Mr. McLean, the officer of the Hudson's Bay Company in charge of Fort Kamloops, told me that where it is in large quantities it destroys wheat, but that it has very little effect on vegetables.

Behind the flats the mountains rise from 500 to 1,000 feet, but though some are bluffs of trap and sandstone, far the greater number are covered with grass nearly to their summits.

The banks of the Nicola are for the most part of clay, nearly perpendicular, and averaging about 20 feet high, but in some places they are 150 feet, and in others only a few inches above the water, even at this season, and lined with poplars and willows. The bed of the Nicola is much higher than that of the Thompson, there being about 1,100 feet difference between the places, where I left the latter and joined the former.

BRITISH
COLUMBIA.

About 15 miles before coming to the Nicola lake, there is a valley extending to the northward 5 or 6 miles wide. It is not quite level, but the soil appears good, though like all this country, too sandy for an Englishman's notion of rich land. It is well covered with grass, and there are not more than 10 or 15 trees to an acre. The hills bounding it are from 700 to 1,000 feet high. Indians say there is a lake in it running nearly parallel with Nicola lake.

The Nicola or Smūhāātlon Lake lies nearly north and south, and is about 14 miles long by 1 to 2 wide. The banks are low and covered with grass on both sides. There is not much good land on the west side, but on the east there are two large valleys with apparently good land in them, down which run the Rivers Bodimon and McDonald. Granite here for a time supersedes the sandstone and trap; and at the north end of the lake, on the west side, there are some very steep cliffs of it.

After passing the Nicola Lake we went along a good piece of prairie by the side of a chain of small lakes or ponds, which continues till it joins the Thompson nearly opposite Kamloops. Stump Lake or Lake Hāmēū, as it is called by the Indians, is the largest of this chain, and is about 6 miles long by 1 to 1½ wide. After passing this, which is about 5 miles above Nicola Lake, we ascended Mount Skȳetākēn, at the top of which we were, by the barometer, 3,600 feet above the level of the sea. This was the greatest height attained during our tour. The view from this mountain was very fine, extending as far as the Semilkamen Valley and Little Okanagan Lake, and showing a very large tract of grazing if not farming country. After crossing Skȳetākēn, we passed a succession of low grassy hills and descended to the Thompson River opposite Fort Kamloops, and crossing the river in a canoe reached the Fort about 10 o'clock a.m. on the 14th of May.

Fort Kamloops is situated at the Forks of the Thompson and North Rivers, on the north bank of the former, and the west bank of the latter, and is one of the prettiest sites in the country. It is at the east end of prairie about 10 miles long by 1 to 2 miles wide, which would be very valuable land were it not so low that it is always flooded in the summer. The year before last the Fort itself was flooded so much, that it had to be abandoned until the water fell.

The Thompson was about 300 yards wide at Kamloops, when I was there, and the North River 320 yards. There is nothing of the rushing current here, that there is in every other river we met, and in this river also lower down, and the contrast is so great as to give quite a sluggish appearance to the river, which quietly winds along about 3 knots an hour, though of course it must be much more in midsummer.

Mr. McLean considers the soil here good, though not so good as at the head waters of the Thompson, about 22 miles east of this, or in the Semilkamen Valley, which he considers the best place in the colony for an agricultural settlement. The land about Fort Alexandria, where he resided for several years, he also considers better than this, though more subject to frost. But I believe it is a great, though common error to suppose that crops are destroyed nearly every year by frost; at places even further north than Alexandria, once in 4 or 5 years being a fair average. Great quantities of potatoes are grown at the head of both Thompson and North Rivers, by the Indians, but nothing else has been tried. At Kamloops vegetables of all kinds thrive very well. A bushel of wheat there yields on an average 15 bushels; Mr. McLean says that at Alexandria he has known it yield 40.

There is considerable trade now carried on across the American frontier, and through Kamloops to the Fraser, and to the small rivers branching off from the Thompson, on nearly all of which, there are or have been miners working. A great quantity of spirits, and other things were smuggled into the country, this way last year.

Gold has been found in the Rivers Tranquille, Défaut, Nicola, and Nicaomen, and silver in the latter, by Mr. McLean, and I believe he sent the first gold that was found in British Columbia from the last-named river. He assured me, also, that he had seen copper obtained by the Indians from a mine on the north bank of the Shuswap Lake, so pure, that they made arrow heads, pipe stems, &c., of it.

There is a trail from this to Fort Hope, which is always used by the servants of the Hudson's Bay Company for transporting their goods to and from the northern parts. It is, however, dangerous in some parts, and a number of horses are lost each time the fur brigade comes down. There is a bad swamp 7 or 8 miles long, and a steep mountain (Manson's Mountain), both of which they have to cross. It takes them 10 or 15 days to go from Kamloops to Hope, but I am told that travelling without luggage it could be done in 3 or 4 days. A man has gone from Kamloops to Langley in 5 days.

The Indians all over the country suffered fearfully from want of food last winter, a great many dying of starvation. I believe, it was owing, in a great measure, to their improvidence, most of them leaving off the fishing, hunting, &c. last summer in the general mania for gold digging, and making no provision for the winter. This state of things accounts for number of thefts perpetrated on miners, and others by them; their only choice in most cases being to steal or die. I think they can hardly be wondered at for preferring the former.

We left Kamloops for the Pavillon, on the 17th May, and rode along the north bank of the Shuswap Lake, as far as Tranquille River, after fording which we ascended a steep hill to the northward, and opened about 3 miles of very nice grass land, and then coming down again followed the lake to the copper mine, at the foot of which we camped. It is in a bank of about 800 feet high that the copper is found, but we searched from top to bottom without finding any, though everything was coloured with it.

The road along the north side of Shuswap Lake is very rough, the hills sloping down to the edge of the lake. After about five hours' riding we reached the River Défaut, across which we had to swim the horses—an undertaking which the force of the current makes both difficult and dangerous to perform, though the river is only 20 or 30 yards wide. The west bank of this river is about 250 feet high, on ascending which there is a grass plain 5 or 6 miles long, and from that to the River De la Cache is all good grazing ground, and indeed, I might almost say, all the way to the Pavillon. There is a small stream, 2 yards wide, between the rivers Défaut and De la Cache, which is dignified by the name of Couteaux River, and here we left the Thompson, and turned a little northward, the river running away to the southward.

All the Thompson River from the Shuswap is very much like the Nicola, but larger and not so pretty. The soil near the River De la Cache is very good, but covered with soda. The river is small and shallow, but just above where it joins the Bonaparte, being the best ford in that river, makes it a good

place for a revenue station, as the Bonaparte river must be crossed in going to either Fountain or Pavillon, except by going round to Lytton, where there is a magistrate.

We crossed the Bonaparte River on the morning of the 19th May, finding only 3 feet 6 inches of water in the deepest part of the ford, which was an agreeable surprise, for we expected this to have been the worst of all the rivers, as it was far the largest we crossed between Kamloops and Pavillon, and, we had been told, the deepest. We skirted along a steep hill, on the north side of it, down which one of the pack horses fell, though fortunately without injury, and we then came down again on the river. This hill would be avoided if the river were bridged, as the bridge would be thrown across higher up, where the trail crosses the stream in winter, but the river at this season is too deep for fording at that part. The valley of the Bonaparte is not quite so much covered with the nitrate of soda as the other valleys we passed through; indeed, neither the Bonaparte or Chapeau valleys contain so much of it as those of the Thompson and Nicola.

We followed the north bank of the Bonaparte for about 7 miles till we met the Chapeau River, from whence we followed the Chapeau for 12 miles, crossing the river several times. The Bonaparte turns northward after its junction with Chapeau to Lake Loon, in which, I believe, it takes its rise.

The Chapeau River is a remarkable one, though only 10 or 12 yards wide, inasmuch as it and the Thompson make an island of about 25 square miles of country, in the same way that the Nicola and Thompson make one of 40 square miles further south. After leaving the Bonaparte it turns westward for about 12 miles, and then turns southward, joining the Fraser about 18 miles above Lytton. Its banks are from 20 to 60 feet high, and the valley averages 800 yards in width. Here the limestone commences, and from this to Lake Pavillon there is hardly anything else.

Leaving the Chapeau, we turned northward through a narrow valley, between perpendicular limestone mountains 4,000 to 5,000 feet high, and came to a small lake (Crown), immediately beyond which is Lake Pavillon, which is about 6 miles long, and three-quarters of a mile wide. At the north end of this lake there is a most curious peak like a round tower, called by the Indians Skille Päälock, and about a mile further on is a farm of about 20 acres, on which three Americans are at work. They had not tried grain when I was there, but said they thought the soil good. Four miles more along the north bank of the Pavillon River, which runs from the lake to the Fraser, brought us to the Pavillon itself.

The Pavillon is on the east bank of the Fraser, on a bench 600 feet above the river, very similar to that at Lytton. It blows, and the dust flies in the same manner. There is one wooden house, and several huts of canvas and boughs, which, like their log contemporaries in the Canons, are called restaurants. Flour was 35 cents per lb., and bacon 75, when I was there. In the winter flour was as high as 85 cents, and bacon \$1 50c.

The charges for carriage of goods, &c. now are, from Pavillon to Kamloops, 25 cents per lb.; to Fountain, 6; to Cayoosh, 8; and to Big Bar, 8; from Lytton to Big Bar, 30 cents. Big Bar is about 18 miles above Pavillon. Silver and copper have both been found at the Pavillon; the latter I have seen.

We left Pavillon on the 23rd of May, and walked by a very good trail to the Fountain. The Fountain, so called from a small fountain there, is a very much prettier and better site for a town than Pavillon; the latter, however, possessing the great advantage of limestone, none of which I saw at the Fountain, though I do not doubt there is some not far from it.

There is a considerable bend in the river at the Fountain, which shelters it to a considerable extent from the north and south winds. There are two or three large stores here, and some half dozen log-huts scattered over the flat. There is a valley at the west end of the flat, which extends southward as far as Foster's Bar, and through which there is a good trail.

About 3 miles below Fountain, on the opposite side of the Fraser, is Bridge River; there is a large store there, belonging to Messrs Fraser and Davis, who have thrown a wooden bridge, about 40 yards long, across the Bridge River, 800 yards from its mouth, for crossing which they make the miners pay 25 cents a head; they having, I am told, pulled down a bridge the Indians had made, and on which it was quite safe to cross. About 1½ miles below this is French Bar, where there is a ferry, by which we crossed, and two miles further on, on the west bank of the river, is situated Cayoosh.

Cayoosh is at the junction of the Tukumeth and Fraser Rivers, where the Harrison Lillooet route commences, and is the prettiest place I saw on the Fraser. Four or five huts, and the same number of stores, compose the town on the west side; on the east side the Hudson's Bay Company are building a fort, to be called Fort Beren. It is to stand on the lowest of three benches, into which the bank is divided, about 50 feet above the water. There is a ferry at Cayoosh, and a trail on either side of the river to Lytton, the drawback to the one on the west side being that the Tukumeth is not always fordable. On the 24th May we again left the Fraser, and struck down the Harrison Lillooet route, and, following the Tukumeth, camped at the north end of Lake Seton, where there are a few huts for the boatmen who ply on the lake.

The following morning we crossed Lake Seton in four hours, and Lake Anderson the same afternoon in five. The two lakes are about the same size, and have much the same appearance, but Lake Anderson tends much more to the southward than the other. Both are bounded by steep mountains, 3,000 to 5,000 feet high, and both are very deep. There is no perceptible current in them, and hardly any rise and fall. Southerly is the prevailing wind, and it blows nearly always during the day, the morning and evening being calm. These lakes are separated by a neck of land 1½ miles wide, which is nearly level, and through which runs a stream 20 or 30 yards wide. Port Anderson is at the south end of Lake Anderson. There is a large restaurant there for the entertainment of muleteers, &c. &c. From Port Anderson to Port Pemberton is the Birkenhead Portage, or, as it is now generally called, the Mosquito Portage, which name it certainly well deserves. It is about 25 miles long by the trail, which is on the whole good. There are regular trains of mules on both this and the next portage. When I was there they charged 8 cents per lb. for packing along this one, but in the winter it was 12 cents.

About 9 miles from Port Anderson is Summit Lake, which is a mile long, and from which the waters run north and south. It is about 800 feet above Port Anderson, and 1,800 feet above the sea. Half way between Ports Anderson and Pemberton there is a large bed of clay-slate nearly two miles long. There is a river called the Scaarlux, running the whole length of this portage. The banks are low and

BRITISH
COLUMBIA.

covered with willows, &c., and many small streams run into it on both sides. The valley of the Searlux averages about 1,500 yards in width, except at Port Anderson where it is nearly two miles wide. It is bounded by mountains 1,000 to 3,000 feet high, and generally very steep. There were quantities of wild peas, lettuce, and berries on all the level spots. There are only two valleys of any size running off from it, one near Port Anderson on the east side, and the other near Port Pemberton on the west.

We reached Port Pemberton at 11 a.m. on the 27th. Port Pemberton is on the north bank of the Lillooet Lake, and contains half-a-dozen Restaurants and huts occupied by muleteers and boatmen. There is a large flat in the lake opposite to it which dries the whole way across in the winter, and goods have to be landed a quarter of a mile lower down, but at this season there is a passage wide enough for a boat to come up to a wharf which has been built abreast the town. About 2 feet is the extreme rise and fall on this lake, and there is never any perceptible current.

We left Port Pemberton at 3 o'clock the same afternoon, and arrived at Port Lillooet about 7.30 p.m. We were treated on our arrival there to the first rain that has fallen on the lake this year, and it continued all night. There is only one store and an old barn at Port Lillooet. We left Lillooet next morning for Port Douglas, by what is called the Douglas Portage. There is a small lake, or rather a continuation of the large one, for about 4 miles from Port Lillooet, and from the south end of this little Lillooet Lake, as it is called, flows the Lillooet River, the mouth of which is at the Great Harrison Lake about a mile below Port Douglas. At this season the Lillooet River is entirely unnavigable, on account of several dangerous rapids, in one of which there is a fall of 10 or 12 feet; but in the winter considerable quantities of goods were brought up the river in canoes, with a great saving of expense to the merchants; the Indians charging 5 cents per lb. from Port Douglas to Port Lillooet, when the mule trains were charging 15 cents.

Following the east bank of this river about 8 miles, we came to the Hot Spring (St. Agnes' Well). The temperature of this spring is, I should think about 160°, but the thermometer we had with us when we were there was only graduated to 120°, and it went up to that instantaneously. It flows in a small stream from the centre of a large knob of conglomerate rock (specimens of which I have sent among others to his Excellency the Governor) into a basin at the foot of the rock. I brought a bottle of it down with me, but the quantity was not sufficient for analysis.

We camped that night, 29th, at the Äkotsstar River, and reached Port Douglas at 3 p.m. next day.

We observed no new features on the Douglas Portage, and no limestone since leaving Pavillon.

The Lillooet River is very rapid, averaging 80 to 90 yards in width, but varying from 30 to 130 yards. There is a large stream called the Ämökkwä running into it from the southward, about 9 miles below Port Lillooet, and another from the same direction called the Zöäklēn about 10 miles above Douglas. This latter is said to come from a lake called Zöäklinēkt. The trail passes over many steep places which I think might have been avoided, but as an officer of the Royal Engineers is examining it more fully than I did, with a view to making alterations in the route, it is needless for me to make any remarks on this subject. The cedars on the side of the hill above Port Douglas are the finest I have seen in the country. I was told by a Frenchman that he had found gold-bearing quartz about 10 miles above Port Douglas.

Port Douglas is situated on a flat at the head of a small lake about a mile long, which is called Little Harrison Lake. In summer the water rises some distance over this flat. I am unable, however to say how far, as the water was not at its highest when I was there, but even then some of the houses had 2 or 3 feet of water under or in them according as they were built on piles or not.

Between the Little Harrison Lake and the Great Harrison Lake, there is a narrow passage nearly half a mile long. In summer there is sufficient water in it for the flat-bottomed steamers to go through, but in winter there is only 4 or 5 inches, and it is generally frozen over.

The Great Harrison is the largest of the chain of lakes. It is about 30 miles long, and in some places 5 or 6 miles wide, in appearance much similar to the others. There are two large valleys on the east side, one running E.S.E., and the other N.E.; the latter is said to extend nearly to Lytton. There is a stream running down it, which I think takes its rise in the Cayoush Lake. At the entrance to the Great Harrison Lake there is a flat, which, like the small passage at its head, dries or very nearly dries in winter, thereby blocking out steamers for at least seven months in the year; so that during the winter all goods have to be landed at the entrance of Harrison River and taken up the lake in boats. This difficulty may be overcome either by making a canal for the river steamers to pass through or by making a road from the entrance of Harrison River to the south end of the Great Harrison Lake, and keeping a steamer inside the lake to carry the freight to Port Douglas. Or it may be found better to cut a road from the Fraser River through the valley of the south end of the Great Harrison Lake, avoiding Harrison River and the flat altogether. One of these three things must be done if the Harrison Lillooet is to be the high road to British Columbia. It is thought that the opening of a road from Fort Hope to Boston Bar will cause the valley of the Fraser to be used for transporting goods into the interior; but I think this is a mistake, except, of course, as far as the mining bars between Yale and Lytton are concerned. In the first place Lytton is not in so central a position with regard to the mining regions as Cayoush, Fountain, or Pavillon, and the trail from Fountain to Lytton is much better than from Boston Bar to that place.

Gold has now been found in large quantities at Alexandria, and from Pavillon there is a trail through a valley parallel to the Fraser, along which a wagon might be driven nearly the whole way.

There is gold in almost all the tributaries of the Thompson River also, and the road from Kamloops to Fountain or Pavillon is much better than between Lytton and Kamloops.

The country about Chilcoaten is, I am told, very good. A Canadian, residing at Pavillon, informed me he had travelled from Fort Chilcoaten to the lakes on Bridge River, through a valley parallel to the Fraser, and he knows an Indian who has been from thence to Port Douglas by a route leading down the valley east of the Lillooet. And both of these routes he describes as being over good land, and such as a road might be made on without great difficulty.

Between Chilcoaten and the sea there is a chain of mountains through which there are two known passes, one by the west road river, up which Sir A. M'Kenzie went, and the other at the head of Chilcoaten River, which has never yet been crossed by a white man; when Mr. M'Lean was at Fort

Alexandria he received a letter from the "Beaver," lying in North Bentinck Arm, in three days by the latter route.

The change of temperature is very remarkable in British Columbia. I have seen the thermometer at 31° at daylight, in the shade at noon the same day 85°, and 40° again in the evening. I append a table of meteorological observations taken during my tour, as well as those taken on board H.M.S. "Plumper" at the mouth of the river during the same period. The absence of animal life is also very remarkable. The only birds we saw were about half-a-dozen partridges, a few humming birds, American robins, and one or two other species of small birds. There are rattlesnakes in the country, and the chief of the Shuswap Indians told me that his people were frequently killed by their bites; but we saw only one.

I have sent, according to your order, to his Excellency the Governor, the geological specimens collected by Dr. Samuel Campbell; a small collection of plants, made also by that officer, has been given to Dr. Wood.

I cannot close this without expressing my sense of the great obligation I am under to Dr. Campbell, R.N., for his zealous and hearty co-operation on all occasions.

I have also to acknowledge, with pleasure the great kindness I received at the hands of the gentlemen of the Hudson's Bay Company wherever I met them.

I have, &c.

To Capt. George Henry Richards, R.N.,
H.M.S. "Plumper."

RICHARD C. MAYNE, Lieutenant.

Enclosure 2 in No. 21.

ABSTRACT of the Barometer, Attached Thermometer, and Temperature of the Air.

Encl. 2 in
No. 21.

Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.	Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.
1859.						1859.					
April 1 -	Noon -	30° 37	50	47		Apr. 30 -	Noon -	29° 96	56	51	
	Midnight	37	49	44			Midnight	94	53	41	
" 2 -	Noon -	30° 43	54	48		May 1 -	Noon -	29° 92	59	53	
	Midnight	38	51	44			Midnight	93	56	53	
" 3 -	Noon -	30° 47	49	49		" 2 -	Noon -	29° 85	64	60	
	Midnight	45	52	43			Midnight	88	58	50	
" 4 -	Noon -	30° 46	59	53		" 3 -	Noon -	29° 95	63	58	
	Midnight	40	55	46			Midnight	30° 08	58	51	
" 5 -	Noon -	30° 36	55	51		" 4 -	Noon -	30° 31	59	50	
	Midnight	17	53	41			Midnight	28	53	45	
" 6 -	Noon -	30° 13	59	51		" 5 -	Noon -	30° 13	54	58	
	Midnight	03	57	47			Midnight	29° 93	58	57	
" 7 -	Noon -	29° 97	57	47		" 6 -	Noon -	29° 90	55	55	
	Midnight	78	53	47			Midnight	29° 94	57	52	
" 8 -	Noon -	29° 76	55	48		" 7 -	Noon -	29° 92	60	57	
	Midnight	74	50	45			Midnight	29° 78	55	49	
" 9 -	Noon -	29° 77	56	47		" 8 -	Noon -	30° 85	57	52	
	Midnight	67	47	43			Midnight	30° 04	52	46	
" 10 -	Noon -	29° 63	48	45		" 9 -	Noon -	30° 15	60	49	
	Midnight	75	46	42			Midnight	15	56	45	
" 11 -	Noon -	30° 02	50	43		" 10 -	Noon -	30° 18	58	48	
	Midnight	04	43	32			Midnight	30° 12	52	44	
" 12 -	Noon -	30° 15	53	42		" 11 -	Noon -	30° 30	58	52	
	Midnight	26	51	43			Midnight	42	57	50	
" 13 -	Noon -	30° 48	58	45		" 12 -	Noon -	30° 54	62	58	
	Midnight	53	53	46			Midnight	45	59	51	
" 14 -	Noon -	30° 62	59	48		" 13 -	Noon -	30° 02	69	64	
	Midnight	57	57	48			Midnight	15	63	53	
" 15 -	Noon -	30° 42	58	51		" 14 -	Noon -	30° 14	71	68	
	Midnight	22	58	46			Midnight	06	63	57	
" 16 -	Noon -	30° 20	62	48		" 15 -	Noon -	30° 15	63	67	
	Midnight	17	54	47			Midnight	10	64	59	
" 17 -	Noon -	30° 28	59	51		" 16 -	Noon -	29° 99	60	57	
	Midnight	13	55	43			Midnight	03	59	54	
" 18 -	Noon -	30° 16	59	49		" 17 -	Noon -	30° 10	63	63	
	Midnight	16	54	43			Midnight	02	61	55	
" 19 -	Noon -	30° 34	54	49		" 18 -	Noon -	30° 10	58	59	
	Midnight	34	51	38			Midnight	22	57	57	
" 20 -	Noon -	30° 30	55	52		" 19 -	Noon -	30° 31	62	58	
	Midnight	19	55	41			Midnight	26	60	50½	
" 21 -	Noon -	30° 13	59	59		" 20 -	Noon -	30° 33	64	59	
	Midnight	08	56	44			Midnight	29	60	52	
" 22 -	Noon -	30° 04	59	56		" 21 -	Noon -	30° 18	65	59	
	Midnight	02	55	48			Midnight	05	66	50	
" 23 -	Noon -	29° 93	60	55		" 22 -	Noon -	30° 05	56	55½	
	Midnight	86	57	45			Midnight	29° 92	55	42	
" 24 -	Noon -	29° 86	51	54		" 23 -	Noon -	30° 15	60	52½	
	Midnight	99	56	57			Midnight	28	54	47	
" 25 -	Noon -	30° 16	55	52		" 24 -	Noon -	30° 50	61	55	
	Midnight	19	56	50			Midnight	51	58	49	
" 26 -	Noon -	30° 22	54	50		" 25 -	Noon -	30° 52	64	56	
	Midnight	11	54	47			Midnight	39	59	51	
" 27 -	Noon -	30° 03	52	50		" 26 -	Noon -	30° 25	62	64	
	Midnight	29° 99	51	44			Midnight	03	59	54	
" 28 -	Noon -	30° 08	52	47		" 27 -	Noon -	29° 98	64	62	
	Midnight	08	57	45			Midnight	87	61	56	
" 29 -	Noon -	30° 06	54	49		" 28 -	Noon -	29° 90	60	55	
	Midnight	29° 93	53	47			Midnight	91	56	53	

BRITISH
COLUMBIA.ABSTRACT of Barometer, &c.—*cont.*

Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.	Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.
1859.						1859.					
May 29	Noon	29.99	49	52		June 10	Noon	30.01	71	67	
	Midnight	.98	57	51			Midnight	.03	65	60	
" 30	Noon	29.95	60	57		" 11	Noon	30.11	62	59	
	Midnight	30.10	57	50			Midnight	.06	66	59	
" 31	Noon	30.40	61	54		" 12	Noon	30.12	59	56	
	Midnight	.40	56	49½			Midnight	.02	60	55	
June 1	Noon	30.35	59	57		" 13	Noon	30.15	63	59	
	Midnight	.15	59	55			Midnight	.18	58	52	
" 2	Noon	30.10	59	57		" 14	Noon	30.18	64	60	
	Midnight	29.96	61	57			Midnight	.02	59	54	
" 3	Noon	29.97	66	65		" 15	Noon	29.99	57	55	
	Midnight	.86	64	61½			Midnight	.98	60	57	
" 4	Noon	30.22	65	63		" 16	Noon	30.15	65	55	
	Midnight	.88	60	52			Midnight	.18	61	54	
" 5	Noon	30.28	60	58		" 17	Noon	30.28	60	60	
	Midnight	.04	57	54			Midnight	.15	61	52	
" 6	Noon	30.22	54	54		" 18	Noon	30.15	58	58	
	Midnight	.27	56	52			Midnight	.05	60	55	
" 7	Noon	30.24	57	57		" 19	Noon	30.25	61	59	
	Midnight	.34	57	56			Midnight	.35	58	52	
" 8	Noon	30.38	62	61		" 20	Noon	30.38	64	58	
	Midnight	.09	61	57			Midnight	.23	58	56	
" 9	Noon	29.98	62	63							
	Midnight	.87	66	62							

Encl. 3 in
No. 21.

Enclosure 3 in No. 21.

METEOROLOGICAL OBSERVATIONS taken in BRITISH COLUMBIA during the Months of April and May 1859.

Date.	Barometer and Thermometer attached.				Thermometer.				Remarks, Place, &c.
	6 A.M.	Noon.	5 P.M.	10 P.M.	6 A.M.	Noon.	5 P.M.	10 P.M.	
1859.									
April 20	-	-	-	30° 11-65½	—	—	—	—	Weather very fine. At Langley, Fraser River.
" 21	30° 10-67	—	—	—	—	—	—	—	Fine; night overcast.
" 22	—	—	—	—	—	—	—	—	Fine.
" 23	—	—	—	—	—	—	—	—	Ditto. At Fort Hope.
" 24	-	29° 54-61	-	29° 71-58	—	54	—	54	Ditto; force of wind, 4.6.
" 25	29° 86-51	29° 92-54	-	29° 97-54	51½	54½	—	54	Cloudy, slight showers, &c.
" 26	-	29° 97-56	29° 97-57	29° 98-57	—	54½	54	47	Cloudy.
" 27	29° 79-56	29° 75-56	29° 78-57	-	58	60	51	47	Ditto.
" 28	29° 83-53	29° 83-53	29° 85-56	29° 86-53	45	50	48	38	Ditto, slight showers.
" 29	29° 87-53	-	29° 50-50	29° 53-53	45	50	48	38	Very fine.
" 30	29° 57-54	29° 57-54	29° 61-63	-	45	50	48	38	Cloudy. Fort Yale, F. R.
May 1	-	-	29° 53-62	—	—	—	—	—	Fine. At Fort Yale.
" 2	29° 51-51	29° 52-61	29° 50-58	-	51	60	53	50	Very fine.
" 3	29° 47-40	29° 47-81	-	-	40	85	50	48	Ditto. At Ferry House, F. R.
" 4	29° 60-54	29° 76-62	29° 72-61	29° 73-57	53	63	61	54	Ditto. Passing along river.
" 5	29° 72-47	29° 36-65	29° 08-73	28° 98-59	41	69	60	50	Ditto. Ther. in sun, 84°, at Boston Bar.
" 6	28° 87-41	29° 47-77	29° 13-74	29° 07-58	45	73	74	56	Ditto. Ther. in sun, 80°.
" 7	29° 02-51½	-	-	28° 78-57	50	—	—	52	Ditto. Force of wind, 3.5.
" 8	28° 47-51	-	-	-	50	64	48	44	Ditto. Ditto.
" 9	29° 02-44	29° 07-54	29° 21-61	29° 06-47	40	61	54	42	Fine. Lytton, F. R.
" 10	29° 11-44	26° 50-64	27° 72-50	27° 70-48	43	64	50	37	Ditto. Ditto.
" 11	27° 75-48	28° 04-65	27° 85-60	27° 85-55	30	65	55	55	Weather fine. Passing along the Nicola River.
" 12	27° 92-43	27° 97-64	27° 42-60	27° 81-48	42	70	63	40	Ditto.
" 13	27° 80-41	27° 40-65	26° 25-70	26° 55-44	30	79	70	45	Ditto. On top of Skytaw Hill, near Fort Thompson.
" 14	26° 60-40	28° 62-72	28° 58-66	26° 65-44	32	72	65	50	Ditto. At Fort Kamloops, or Thompson.
" 15	28° 88-46	28° 53-80	-	28° 44-68½	46	76	70	68	Ditto.
" 16	28° 28-69	28° 24-73	28° 35-62	28° 50-58	65	70	50	50	Ditto.
" 17	28° 65-65	27° 69-72	27° 62-72	28° 42-62	65	73	60	58	Ditto. At Lake Shuswap.
" 18	28° 41-58	28° 44-77	28° 11-63	28° 19-55	48	82	56	50	Ditto. Ther. in sun 127°, at noon.
" 19	28° 17-39	27° 61-69	27° 10-67	27° 10-56	34	80	56	53	Ditto.
" 20	27° 11-49	27° 71-73	28° 46-73	28° 28-62	48	80	67	64	Ditto.
" 21	28° 21-58	28° 17-73	28° 17-79	28° 10-60	60	80	73	60	Ditto. Force of wind, 4.6. At Pavillon, Fraser River.

METEOROLOGICAL OBSERVATIONS taken in BRITISH COLUMBIA—continued.

BRITISH
COLUMBIA.

No. 22.

Date.	Barometer and Thermometer attached.				Thermometer.				Remarks, Place, &c.
	6 A.M.	Noon.	5 A.M.	10 P.M.	6 A.M.	Noon.	5 P.M.	10 A.M.	
1859.									
May 22	28°14-53	28°06-71	28°00-55	28°25-55	51	75	58	55	Slight showers, &c., at Pavilion, Fraser River.
" 23	28°09-49	28°70-67	28°60-63	29°25-55	40	68	63½	59	Cloudy, slight showers. Ditto.
" 24	29°49-53	29°84-67	29°55-72	29°54-57	52	70	67	55	Very fine. Ditto.
" 25	29°54-55	29°32-80	29°15-60	29°15-58	55	80	72	60	Ditto. Ther. in sun 90°.
" 26	29°17-55	29°02-70	28°24-67	28°08-59	55	70	68	59	Ditto. Passing along the Harrison and Lillooet trail.
" 27	28°00-51	29°06-72	28°90-63	28°69-61	50	72	68	61	A.M. fine; P.M. very rainy.
" 28	28°83-56	28°88-62	29°21-57	-	56	65	60	58	Cloudy, slight showers.
" 29	29°28-53	29°42-60	29°77-59	29°75-57	53	60	55	53	Ditto. ditto.
" 30	-	29°67-56	29°74-53	29°82-52	53	60	55	52	Heavy squalls of rain. At Port Douglas,
" 31	29°92-49	30°12-59	30°21-53	30°17-49	49	60	53	49	Fine. At Harrison Lake.

SAMUEL CAMPBELL, M.D., H.M.S. "Plumper."

No. 22.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

August 17, 1859.

(Received October 10, 1859.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 5th May last, No. 61,* conveying to me Her Majesty's commands as to the designation to be conferred upon the capital of British Columbia.

2. I have announced by Proclamation Her Majesty's decision, and that the town heretofore known as Queensborough shall, in pursuance of Her Majesty's pleasure, be henceforth called the city of New Westminster.

3. I forward herewith a copy of the "Victoria Gazette" containing the Proclamation in question.

4. I beg you will offer to Her most Gracious Majesty our dutiful acknowledgments for Her kindness and consideration in acceding to our wishes in this matter.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

* Vide papers
presented Aug.
1859, p. 86.

Enclosure in No. 22.

Encl. in No. 22.

BRITISH COLUMBIA.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice-Admiral of the same, &c.

WHEREAS Her Majesty the Queen has been graciously pleased to decide that the Capital of British Columbia shall be styled the city of New Westminster.

Now, therefore, I, James Douglas, do hereby declare and proclaim that the town heretofore called and known as Queensborough, and sometimes as Queenborough, in the Colony of British Columbia, shall from henceforth be called and known as New Westminster, and shall be so described in all legal processes and official documents.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver's Island, this Twentieth day of July 1859, in the Twenty-third year of Her Majesty's Reign.

JAMES DOUGLAS. (L.S.)

By command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN!

BRITISH
COLUMBIA.

No. 23.

No. 23.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,
August 18, 1859.

(Received October 10, 1859.)

(Answered No. 29, October 20, 1859, p. 104.)

(No. 206.)

SIR,

Enclosure.

I HAVE the honour of transmitting herewith for your information, a report lately received from Colonel Moody, of a reconnaissance of the Harrison and Lillooet route to the Upper Fraser, under the command of Lieutenant W. S. Palmer, Royal Engineers, which contains much valuable information respecting the character and capabilities of those districts of British Columbia explored by Lieutenant Palmer.

2. The report is accompanied with six explanatory plans, and three photographic views, which greatly add to the general interest of the narrative.

3. If it should please Her Majesty's Government to cause these plans to be lithographed, we have to request that a few sets may be sent out for distribution in this colony.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.

(Signed) JAMES DOUGLAS.
Governor.

Encl. in No. 23.

Enclosure in No. 23.

North Camp, New Westminster (Queensborough),
July 10, 1859.

SIR,

I HAVE the honour to report that I returned here on the 13th ult., having completed my reconnaissance of the Harrison and Lillooet route to the Upper Fraser.

I forward for your information a detailed report, drawn up in connexion with the instructions I received from you before starting, accompanied by illustrative plans.

I took latitudes at all important points and determined their longitudes in reference to Queenborough, as far as my means would permit; and, although I had only a pocket chronometer, I trust, from the almost perfect identity of my traverses and observations over distances as great as 34 miles, that I have arrived at a close approximation to the truth: owing to the very wooded mountainous character of the country along nearly the whole route, I have been unable to carry out that portion of my instructions directing me "to fix by prismatic observations from known points the positions of remarkable mountains, valleys, &c.," to the extent I desired.

Nor have I deemed it necessary thoroughly to explore the whole of the country through which I passed (which would have involved great delay), being aware that the immediate construction of a road along this route was contemplated, and that you would therefore be desirous that I should return and give such a report as a march over the route, aided by notes and a rough survey, would permit. I beg further to remark that any slight differences in the breadth of rivers, heights of banks, &c., which an examination of the route at this time of the year would show, are due to the rise of the water, which since my return has been very considerable, and which in many places, and more especially on the margin of the Fraser, has entirely changed the appearance of the country.

I have the honour to enclose tables showing the latitudes and longitudes of the places whose positions I have fixed (the assumed longitude of (Queenborough) New Westminster being that determined by Capt. Richards, R.N.), and the distances from point to point on the route.

Colonel R. C. Moody, R.E.
&c. &c.

I have, &c.

H. SPENCER PALMER,
Lieut., R.E.

SIR,

North Camp, New Westminster,
July 28, 1859.

I HAVE the honour to annex to my report on the Harrison and Lillooet route two photographic views of Douglas, the starting point of the new waggon road.

These are accompanied by a specimen of one of several plans now in course of preparation, reduced by the photographic process from the original drawing on a scale of 1,000 yards to an inch, to a scale of 2 miles to one inch, for application to a general map of the country.

Colonel R. C. Moody, R.E.
&c. &c.

I have, &c.

H. SPENCER PALMER,
Lieut., R.E.

A LIST of PLANS accompanying Lieut. Palmer's Report on the Harrison and Lillooet Route.*

BRITISH
COLUMBIA.

- No. 1. Plan showing the communication by the Fraser and Harrison Rivers, and Harrison and Douglas Lakes, from a point near Fort Langley to Douglas. Scale 2,000 yards to one inch.
- „ 2. Plan of the First or Lillooet Portage from Douglas to the Tenass Lake. Scale 1,000 yards to 1 inch
- „ 3. Plan of Lakes Lillooet and Tenass. Ditto.
- „ 4. Plan of Lakes Anderson and Seaton, showing the short portage connecting them. Scale 1,000 yards to 1 inch.
- „ 5. Plan of the Fraser district from Seaton to Fountain. Scale 1,000 yards to 1 inch.
- „ 6. A rough trace of an unfinished geographical map of the whole route, from New Westminster to Fountain. Scale 4 miles to 1 inch.

Photographic.

- No. 1. View of Douglas from the R.E. Camp.
- „ 2. View of Douglas from Lake Douglas.
- „ 3. Plan of the Fraser district from Seaton to Fountain, reduced to a scale of 2 miles to an inch.

H. S. PALMER,
Lieut., R.E.

REPORT on the HARRISON and LILLOOET ROUTE from the Junction of the Fraser and Harrison Rivers to the Junction of the Fraser and Kayoosch Rivers, with Notes on the Country beyond as far as "Fountain," by Lieut. H. SPENCER PALMER, R.E.

May 1859.

As the existing route from Queenborough to Douglas can be performed throughout by steamers at certain seasons of the year, I deem it unnecessary to describe it in detail, dwelling only on those points where engineering works will be necessary to establish it as a permanent route for river steamers at all times.

The Harrison River runs into the Fraser from the northward, at about 35 miles by water above Fort Langley. At the mouth the river is broad and deep, and the current by no means swift, the water of the Harrison being backed up by that of the Fraser at this season of the year. About three miles, however, from the mouth it is extremely shallow and rapid, and although a channel does exist which will admit of bateaux drawing 1 foot or 18 inches of water being towed through at the lowest stages of the water, it is a great deal too tortuous, narrow, and shallow to admit of the passage of steamers of the class at present running on the Fraser, except at high stages of the water.

To render this route permanent it will be necessary to form a channel through these shallows of a considerable width (say 40 feet), which shall maintain a depth of at least 3 feet at all times.

At the time I made my reconnaissance the water was too high to admit of my forming any decisive opinion as to the works necessary for the above purpose, but from such information as I have been able to collect, in addition to what I observed myself, the portion that would have to be deepened is not more than a quarter of a mile in length.

I am of opinion that the simplest and easiest way to effect the formation of this channel would be by damming at the upper end of the shallows, an operation that would be greatly facilitated by the existence of the numerous small islands and bars with which this portion of the river is studded, and which, although covered at high water, are perfectly dry in the fall of the year.

The damming might be effected in two ways, either:—

1stly. So as to close the heads of the numerous slews and creeks through which the water at present runs, and thus drive it into one main channel; or,

Method of
damming.

2ndly. The water might be forced through a narrow channel, by the construction of wing dams at such points as might be necessary.

The actual method to be employed can only be decided on by inspection at low water, but as the river at this part is from 500 to 600 yards wide, I am of opinion that the forcing of so large a body of water through a comparatively narrow aperture would have the effect of deepening the channel to the necessary extent, without any excavation whatever.

From this point to the head of Harrison Lake, a distance by water of 40 miles, no obstruction whatever exists to the navigation. The lake, which is 34 miles in length, is bounded on either side by cliffs so rocky and precipitous in most places as almost to preclude the possibility of constructing a road along its margin, and the formation of a channel through the "shallows" of the Harrison River will in consequence be necessary as a preliminary step, to ensure constant communication with Douglas.

Harrison Lake.

A short narrow creek about half a mile in length connects the north corner of Harrison Lake with a smaller one, called at present "Lake Douglas," about $1\frac{1}{4}$ miles in length, and three quarters of a mile extreme breadth.

Douglas Creek.

At the lower end of Lake Douglas is a flat, shallow, gravelly bar, on which, although in summer time there is sufficient water to allow of the passage of steamers, there is not above 5 or 6 inches in winter.

Bar in Douglas
Creek.

There is also an extremely sharp bend in the creek, just below the bar, which is with great difficulty rounded by steamers even at the highest stage of the water, and which, at low water when the creek is not more than one-third of its present breadth, would in my opinion be impassable. I also think that the nature of the soil is such that even if a passage were cut through the bar, there would be every probability of a fresh deposit taking place, owing to the sharp bend immediately below, and coupling this opinion with that above expressed relative to the difficulty of turning the bend, I conclude that to ensure a constant steam communication with Douglas it would be necessary to cut a new and straight channel connecting Lakes Harrison and Douglas.

* These places have been incorporated into one map, which will be found at the end of these papers.

BRITISH
COLUMBIA.Douglas, its
situation.
Objections to
site of Douglas.First Portage,
Trail from
Douglas to the
Four-Mile
House.Defects of
existing trail.Proposed
change in
route.

Stony plateau.

From Four-
Mile House to
Ten-Mile
House.
Detail of ex-
isting trail.

Defects.

Proposed
change in
route.

The town of Douglas is situated at the head of the lake, on ground which descends to the water at a considerable slope, and rises in rear of the town to a height of about 300 feet. This ground is a gully between two mountains, portions of chains which extend down either shore of the lake.

The town site is heavily timbered, with little or no land in its immediate vicinity which could be made use of for agricultural purposes.

Adding to these defects the fact of its being embosomed in hills, which render the mode of egress to the interior by-roads extremely difficult, and the insufficient depth of Douglas Creek, I deem it a very badly chosen spot for a town, and a poor terminus to what is likely to form the main road of communication with the Upper Fraser.

The "Lillooet Trail" starts from the western end of Douglas, and keeping to the left of the bed of the gully, ascends to a very considerable height (say 500 feet) on the side of the westernmost of the two mountains.

This portion of the trail is extremely bad.

The line of route that has been adopted is by no means the easiest that the nature of the country affords, and although a considerable ascent is unavoidable, I think that by adopting a line of route, which I shall presently describe, it need not rise to much more than half its present elevation. The bridges and corduroys are indifferent, and the road stony throughout, and in many places swampy for the want of small culverts and drains.

Few or no attempts have been made at regular grading, and the present trail rises in several places over spurs in the hill at grades impassable for any animals but mules, and barely so for them, descending as precipitously on the opposite side.

At about two miles from Douglas the trail reaches its greatest elevation.

It is then carried along on comparatively level ground for about half a mile, when, turning sharply to the right, it descends a steep hill to the bed of the ravine.

Crossing the ravine at a considerable elevation, it is carried along the slope of the opposite mountain for a short distance and then descends very precipitously by a zigzag path to a stony plateau about 40 feet above the level of the Lillooet River, running along this plateau for about half a mile by the side of the river till it reaches the Four Mile House.

In constructing a waggon road on this portion of the route I would suggest as follows:—

It being almost impossible, from the nature of the ravine in the immediate vicinity of Douglas, to carry the road along its bed, I would recommend that the existing line be adhered to for the first 900 yards, subject of course to such alteration regarding the precise spot of exit from the town as might be thought fit, and with any slight deviations that might improve the regularity of the grade.

On arriving at the First Corduroy (900 yards from Douglas) I would keep to the right, along the ravine which at this point is on the same level as the trail, thereby avoiding an ascent of 200 or 300 feet.

A road might easily be constructed along this ravine for upwards of two miles, subject to no great variation in level, and meeting the old trail at the crossing point, be continued on approximately the same line as far as the top of the steep descent to the plateau.

This hill is unavoidable and can only be made practicable for loaded waggons by long grading through stony and rocky ground at a very considerable expense.

On the "stony plateau" the trail winds most unnecessarily, and the construction of a straight waggon road would be a matter of no difficulty whatever.

On leaving the four mile house the trail is generally pretty good, though a much better and straighter line of road might be adopted by keeping along the river bank.

At about one mile from the house it leaves the river to the left and mounts an extremely steep and stony hill at a grade at present almost impracticable for waggons.

The ascent continues for about one mile, the descent to the river on the other side of the hill being equally as steep and precipitous as the ascent.

Rejoining the river about three miles from the house, and following it for about 300 yards, the trail again bends to the right and ascends a second hill longer than and equally as steep as the former one, descending to the plateau on which the Ten Mile House is situated at an average angle of about 30° with the horizon.

On this portion of the route the same general defects exist as on the first part, viz:—

A bad line of trail both in general direction and in detail.

Precipitous ascents and descents.

Indifferent bridges and corduroys.

A stony and irregular trail.

I would suggest the following changes in the route, my opinion being formed from an inspection of the places in question.

The road after leaving the Four Mile House should be carried along the river bank as far as the foot of the first hill. Then instead of bending away from the river, it should follow it round the base of the hill, meeting the present trail where it rejoins the Lillooet.

In this portion of the proposed new route there are two bad rocky places, each about 200 yards in extent, caused by spurs from the hill running down to the river, where a good deal of cutting and blasting would be necessary, but as the remainder of the route is good for a road I think this line would be far preferable to that over the mountain, which could not be made practicable for waggons except at an immense expense.

Where the old trail strikes the river again the two routes might coincide for 300 or 400 yards, and then instead of mounting the second hill I would adopt the same plan as before and follow the river round.

The road here, after going along an easy level plateau for about one mile, would strike a small tract where a number of successive spurs tolerably level on the top, but with ravines between them, run down to the river in a southerly direction. The difficulty might, however, be overcome by careful grading round the heads of the ravines.

This formation continues for about one-third of a mile, after which the road would emerge upon a broad and beautifully level plateau with little or no brushwood, and very light timber, much of which has been burnt. BRITISH COLUMBIA.

This flat, which I named in my plan the "Burnt Plateau," is about one mile in extent, and a good road along it might I think be made in two days by a party of 50 or 60 men. Burnt plateau.

On arriving at the end of the "Burnt Plateau" I came to the "Glens" of the Lillooet river, and found that it would be absolutely impossible to continue the road along the bank, as the cliffs here run down to the water at a considerable angle with the horizon, and the huge boulders and fragments of rock which lie about and the danger that would be incurred from future slides in the cliffs preclude the possibility of so doing. The glens of the Lillooet.

If, however, the road be inclined to the right corner of the "Burnt Plateau," it can be carried up at a tolerable grade to another plateau, between the river and the existing line of trail, but on a much lower elevation than the latter.

By following this route, the additional advantage of an easy descent to the Ten Mile House Plateau would be gained, a point of great importance, as the existing descent is barely practicable.

For the first half a mile after leaving the Ten Mile House, the trail is very irregular. Several small ravines extend across the line of route to the river, and to diminish the steepness of the ascents and descents the trail is carried round the heads of the ravines. Trail from leaving Ten-Mile House upwards.

It also winds most unnecessarily on the level ground between them. Should a waggon road be made here I would recommend that it be cut straight through: there is plenty of timber at hand and bridges of from 40 to 60 feet span might be built across the ravines, which are only four in number.

After the first half mile a cutting in the side of a hill (which is, I think, unnecessary, there being a fine flat below) leads to a cedar bottom magnificently timbered. I cannot speak positively as to the advisability of carrying the road along the flat mentioned above, as although it was dry when I was there, the water of the Lillooet may have risen since sufficiently high to swamp it. Cedar Bottom.

The "cedar bottom" is a little swampy in two or three places; this, however, is caused, not by the Lillooet river, but by small streams running down from the mountains, which frequently overflow and leave their natural beds, owing to obstructions caused by fallen logs, &c. This evil might be remedied by clearing proper channels for the rivulets, but I would suggest that a waggon road should keep to the right, on a higher line of level than the existing trail. In the "cedar bottom," which is about three quarters of a mile long and of an average breadth of 500 yards, the soil is very rich, but there is so much timber that I question its availability for agricultural purposes. At $1\frac{1}{2}$ miles from the Ten Mile House the trail ascends a short steep hill by a zigzag path, and is carried along the side of a small mountain for about half a mile on undulating ground, rising with one more steep ascent to the top of a level, well timbered and stony plateau, on a spur from the mountain.

The hills I fear cannot be avoided, as the banks run down steep to the very edge of the river. At three miles from the Ten Mile House it runs down the hill on the opposite side of the spur and crosses a broad ravine extending from the river to the mountains, and consequently unavoidable.

Crossing the ravine, it rises with a long ascent of one mile, varying in steepness, to a plateau on the summit of another spur. It is continued for half a mile along this plateau, and then descends a hill dreadfully stony, and so steep that it has been necessary in portions to zigzag the path to make it practicable for mules.*

A waggon road if constructed should be carried down the side of the first spur at a long and gentle grade, and having crossed the ravine should, instead of mounting the hill on the opposite side, be carried round the foot of the hill, by the river, on a much lower plateau than that on which the present route runs. Proposed alteration in route.

Circumstances prevented my actually walking over the ground in question, but from what I saw myself and the information I collected, I think there would be no difficulty in adopting this line for the road.

Immediately on leaving the Sixteen Mile House the river "Acchuchlah" is crossed by a good substantial log bridge of 45 feet span. A short rise then leads to the top of a fine plateau about 30 feet above the level of the Lillooet river. Sixteen-Mile House. River Acchuchlah. Trail towards Hot Spring House.

The trail is carried along this plateau at distances from the river varying from 150 to 400 yards and there would be no difficulty in constructing a good waggon road on a much straighter line than the existing trail.

The plateau is $2\frac{1}{2}$ miles long and of an average breadth of 500 yards.

Timber abounds, chiefly hemlock pine, and the soil, though stony in some places, is generally good for cultivation. At the end of the plateau the trail descends a short hill to nearly the level of the river, and runs close to the water's edge for a short distance. I here passed a beautiful little patch of land about three acres in extent, abounding with roses and wild fruit, and which, if cleared, might easily be turned to some use.

On the opposite side of the "Lillooet" is a large Indian wigwam and fishing station, with a little clear land and some potato patches around it. The trail now for nearly a quarter of a mile is cut in the side of a stony hill which runs into the water, but as this hill is subject to frequent slides, which would render it a matter of considerable expense to keep a road thus cut in repair, I would suggest that a sea-wall of stones be built 5 or 6 feet out in the river (which is here very shallow) and a road made on the top. There are plenty of large stones at hand for this purpose, and I think it would be easier, cheaper, and generally more advantageous to construct a road in this manner than to make a regular cutting in the side of the hill.

After passing this hill I came to a long point which juts out to the left into the river, and at the extremity of which 200 yards from the trail are the great falls of the "Lillooet." Falls of Lillooet.

The trail crosses this point on a good general line and rejoins the river about half a mile further up.

* On arriving at the foot of this hill, a level stony plateau, one mile long, leads to the 16-mile house, situated about 300 yards back from the river.

BRITISH
COLUMBIA.

It then follows the bank at distances varying from 5 to 100 yards from the river and about 15 feet above it, on a fine level plateau three-quarters of a mile long and 500 yards wide, with good rich soil, scanty timber, and little or no brushwood.

At the end of this plateau there is a very steep rise (zig-zagged) to a ledge on a high clay slate hill. The trail is carried along the side of this hill for about 200 yards, and then descends precipitously to the foot, whence a quarter of a mile tolerably level, but capable of great improvement, leads to the Hot Spring House.

This hill might be entirely avoided and a good road constructed round its foot with the aid of a little blasting.

Trail from Hot
Spring House.

On leaving the "Hot Spring House" the trail runs for one mile along a fine broad flat about 10 feet above the level of the Lillooet, following the bank for half a mile and then leaving the river which takes a bend to the left. This flat is rather rocky and the soil light and sandy. Hemlock and cedar abound, and there is very little underwood.

Moody's Look-
out.

At the end of this mile the trail branches to the right, and ascends a gorge between the mountain on the right and a high rocky bluff (named in my plan "Moody's Look-out") on the left. After reaching its highest elevation (about 150 feet) it runs on a comparatively level line along the top of the hill for about a quarter of a mile, and then descends a long steep hill to the river bank.

Proposed
change in
route.

This hill should be avoided, if a waggon road be made, by deviating to the left at the foot and following round the base. The ground is level and good throughout the greater part of the distance, the difficulties to overcome being about 100 yards of rocky ground, succeeded by a piece 20 yards long where the bluff rock runs nearly perpendicularly into the river. The first of these difficulties might be mastered by blasting, the second by the construction of a sea wall of the description proposed at the "Great Falls." Immediately after getting round the point the road would strike a fine level flat, continued to the point where the present trail rejoins the "Lillooet."

Schotscheen
river.

For the next mile the construction of a road is simple enough, and it might be made much straighter than the existing trail. A little careful grading would be necessary to descend into and rise from the valley of the River "Schotscheen," which runs too far back to be rounded, and is too broad to be bridged. This river is about 50 feet wide, and is crossed by a good bridge of 60 feet span. Another mile and a half of very good level trail, along a plateau by the river bank, varying in breadth from 150 to 300 yards, leads to a spot marked in my plan as "Camp" close to the foot of a long range of steep hills. The land thus far is all more or less good for cultivation, timber being rather scanty, and little or no brushwood. The soil is rather light and stony, but is, I think, available for agriculture. From the camp it is exactly 6 miles by the trail to the house at the southern end of "Tenass Lake," known as the "Twenty-eight Mile House," although in reality 34 miles by the trail from Port Douglas.

The Camp.
From the Camp
to the Twenty-
eight-Mile
House.

The mountains throughout the whole 6 miles run down to the water's edge, and the construction of a waggon road along their sides would be a matter of great difficulty, labour, and expense. There is no plateau whatever along which the road could be carried, and no possibility of avoiding, to any extent, the steep ascents and descents to which the present trail is subject.

Proposed
change in
route.

I think it therefore not only highly advisable, but positively necessary to cross the Lillooet River in the neighbourhood of "The Camp." I examined the river for the purpose of finding the best crossing place, and think that the most suitable spot is about 300 yards beyond the Camp.

Mr. Nicol, J.P., was kind enough, on a subsequent occasion, to walk down on the opposite side the whole way from the "lake" to "the Camp," and informs me that there is an excellent Indian trail along the river bank, easily convertible into a good level waggon road. The only obstructions are the rivers "Amockwa" and another, with two mouths, called in my plan "Delta R.," both of which would have to be crossed by bridges of 50 or 60 feet span. There is, in addition to the above, one rocky place to be passed, but this would be no great impediment to the construction of the road.

I have since had an opportunity (while I was descending the Lillooet in a canoe on my return) of examining portions of this part of the proposed new route, and am of opinion that it would be advisable in more ways than one, as, in addition to the advantage of having a level waggon road, there is a great deal of good agricultural land in the neighbourhood, which would thus be opened up for cultivation.

The trail is at present continued beyond the Twenty-eight Mile House as far as the southern end of Lake Lillooet, a distance of 8 miles.

I propose, however, by a method I shall presently describe, that the south end of Tenass Lake be made the terminus of the "First Portage," 8 miles of land transport over anything but a good road being thereby avoided.

Lower end of
Tenass Lake.

There is an excellent site for a town at the terminus of the new route I have proposed, and as a small one would be very likely to spring up at the junction of the land and water communications, this would be a further inducement to its adoption, there being no sort of site for a town at the terminus to the present trail.

Lakes Lillooet and Tenass are connected by a river about $1\frac{1}{2}$ miles in length, rapid, and towards the mouth very shallow. The difference of level between the lakes I ascertained to be 10 feet $6\frac{3}{4}$ inches on the 23d May 1859.

Proposed con-
nection of lakes.

By constructing a dam of the necessary height across the "Lillooet River," where it leaves "Tenass Lake," the water in the two lakes might be brought to the same level, and a permanent water communication thus established. This damming would have the effect of swamping portions of the flat land in the neighbourhood of the "Tenass River," but that at the terminus of the proposed route is too high to suffer in like manner. The dam might easily be constructed of logs, snags, and stones, plenty of which are at hand.

Possibly a permanent water communication between the two lakes might be effected by deepening the Tenass River at and near its mouth. As, however, I was not on the ground at the lowest state of the water, I cannot speak as to the extent of the portion that would have to be deepened, but from such information as I could collect, it would only be necessary to form a channel at and near its mouth. On

this part there is, I am told, but 6 inches of water in winter time, the remainder of the river being quite deep enough to admit at all times of the passage of steamers of the small class likely to be established on the lakes.

Thus far I have described such deviations from the existing line of trail as would be required, supposing it absolutely necessary to construct a waggon road on the left bank of the Lillooet from Douglas as far as "the Camp."

I am, however, of opinion that the site of Douglas is extremely badly chosen.

In addition to the defects I have already pointed out, I am informed by the Indians that Lake Douglas freezes in the winter, or remains so for some time, while the Harrison never freezes at all.

In the north-west corner of the latter lake, there is a high dry site for a town, accessible at all times to boats and steamers, and open to the valley of the Lillooet River. As a protection from the sea, which is sometimes rather rough for boats, a breakwater of snags might easily be constructed at the point shown in the plan, to form a small harbour, behind which they might lay in safety. By making this the terminus of the route, a constant steam communication with Queenborough could be established (the channel once open in the rapids of the Harrison River), and there would be this additional advantage, viz., that the flat land in the valley of the Lillooet would become opened up for cultivation.

From the cursory view I was enabled to take of the right bank of the river, during my rapid descent in a canoe, I am of opinion that from the Harrison Lake to the point opposite the plateau below the Sixteen Mile House, a road could be far more easily made along that bank than on the present route.

Not having actually walked over every portion of the ground, I cannot speak very decidedly on this point, but adding to the opinion I was enabled to form the fact that the old Indian trail runs along the right bank the whole way from the Harrison Lake to the Tenass Lake, and the well-known circumstance that the Indian trails throughout North America invariably follow the best line of travel through a wild country, I conclude that at least a great portion of the road should be carried along that bank.

I have accordingly come to the following opinions on this point, viz. :—

That the starting point of the route should be changed from Douglas to the north-west corner of the Harrison Lake.

That the waggon road be carried along the right bank of the Lillooet River, as far, if possible, as the point opposite the lower end of the plateau below the Sixteen Mile House.*

That the river be bridged here, and the road carried along the left bank as far as "the Camp," following the general direction of the present trail, subject, of course, to the deviation already proposed.

That the Lillooet be re-crossed at the point marked on the plan, and the road then constructed on the right bank of the river, and terminated at the south end of the Tenass Lake.

I may here mention that Sapper Breakenridge, who has since made a reconnaissance of the right bank from the Harrison Lake, as far as the point opposite the Four Mile House, reported to me, after going over both routes, that the one on the right bank, although rather swampy in some places, was far preferable to the existing one, and I think still better might be found by keeping further back from the river.

The distance by water from the south end of the Tenass Lake to the north-west end of Lake Lillooet is about 21 miles; the shores of both lakes being equally as precipitous as those of the Harrison.

The town of Pemberton, which, when I was there, consisted of five or six houses, stands on a wretched rocky site in the northernmost corner of Lake Lillooet. At high stages of the water the town is accessible to boats, but in the winter a long flat bar of sand prevents their coming within 500 yards of it. From this place the second portage commences, known now as the "Birkenhead Portage;" nor is there any better starting point in the vicinity.

The valley of the Upper Lillooet, which river runs into the lake at its western extremity, takes a westerly direction from the head of the lake. The river about 5 miles from its mouth divides into two, a large delta being left between the mouths, which in summer time is again divided in two by a creek.

On this delta, and particularly towards its western point, a few farming men have cultivated land, and there is also a large Indian village, surrounded by potato patches, &c. In the centre of each island is a small lake, and the ground for a considerable distance from their edges is swampy, but the banks are high and dry all the way round, contain good soil, and are covered with magnificent grass.

The trail on leaving Port Pemberton is carried over ground very similar to that at the back of Douglas, but in this case the ravine has been adhered to, and the hills are far less precipitous than those near Douglas. I was unavoidably compelled, both on my way up and on my return, to travel very rapidly over this portage, and consequently unable to make detailed field notes, or survey the route as accurately as I should have wished. The trail, which for the whole 24 miles runs through a natural pass in the Cascade range, is on the whole far better than that on the Douglas portage, and, with the exception of blasting round two or three rocky hills, no great deviation from the present route would be necessary, if Port Pemberton be made the point of departure.

As, however, it might be necessary, in the event of this route being made the main channel of communication with the upper country, to establish a town of some size at the junction of the land and water communications, the site of Port Pemberton should in this case be abandoned.

There is a good site for a town near the mouth of the Mosquito River, which empties itself into the Upper Lillooet opposite the Indian village, on the westernmost of the Lillooet Islands. If, therefore, the bar at the mouth of the southern or main branch of the river were deepened sufficiently to admit at all

BRITISH
COLUMBIA.

Proposed new
site for Douglas

Its advantages.

Proposed new
road to Tenass
Lake.

Lakes Tenass
and Lillooet.

Pemberton.

Valley of the
Upper Lillooet.
Lillooet meadows.

Birkenhead
portage.

Proposed new
site for Pem-
berton.

* If impossible to carry it as far as the point proposed, there are several good crossing places along the river (one half a mile below the Four-Mile House), but the Port Douglas hill should by all means be avoided.

BRITISH COLUMBIA.	times of the passage of steamers, I would suggest that the town be established at the mouth of the Mosquito River, and the road run along the valley, striking the old trail at its junction with that river.
Its advantages.	The large valley of the Upper Lillooet would thus be opened up, and inducement given to farmers to clear and cultivate the land in the vicinity of this town, which might otherwise be neglected, in consequence of its remoteness from any main route of communication.
Summit Lake.	About 17 miles from Pemberton the trail runs along the shore of a small lake one mile long and half a mile broad.
	This lake, which is situated on the summit of "the Pass," is called "Summit Lake," and from either end there is a descent to the Fraser, that from the north by Anderson River, through Lakes Anderson and Seaton and the River Imkumtch, and that from the south end, by the Mosquito River through the Lillooet and Harrison Lakes.
Agricultural land in Cascade Pass.	After passing the Summit Lake, I crossed a tract of valley land two or three miles in extent, containing little timber, and good rich loamy soil, irrigable, if necessary, from Anderson River.
Grazing land near Anderson.	In the vicinity of Anderson and for some little distance down the eastern shore of the Lake there is plenty of good grazing land for sheep and cattle on the sides of the mountains, and I am informed that owing to the absence of briars &c., this part of the country is very well adapted for raising good wool.
Anderson. Its site and advantages.	The town of Anderson is situated as shown in the plan on the south-western end of Lake Anderson. The site, as regards its suitability both for a town, and a point of departure for steamers, is extremely good.
	The bank is high and dry, (about 15 feet above high water mark), timber plenty and fine, but not too much of it, the soil good, and the land for one mile in rear, flat and easily irrigable. A good jetty has been built by the men who have settled there and own the boats that convey passengers across the lake; and as the water is deep close in shore the port is accessible at all times to steamers.
Distance across lake.	From Anderson to the spot marked in my plan as "Wapping," which consists of one log house for travellers to sleep in is 14 miles by water.
The short portage.	The short portage connecting Lakes Anderson and Seaton, (1½ miles in length) commences here and terminates at the spot marked "Flushing."
Waggon road.	A Mr. Dozier, an American, who has established a waggon for conveying provisions across this portage, constructed a waggon road last year, connecting the two lakes, entirely at his own expense. The road is a very fair one, and as he has likewise constructed a neat and substantial bridge across the "Seaton River" of 60 feet span, I would suggest that, in the event of this becoming a permanent route, the by no means trivial service he has done to the colony be recognised. It will be seen on looking at the plan that it is necessary to cross the river as there is no starting place for boats or room for houses on the right bank at the Lake Seaton end.*
Land in vicinity of Short Portage.	The land on this portage is stony but colable. The timber is scanty but the brushwood thick, and there is a fine patch of rich land to the north-west of Flushing. Both that place and "Wapping" are admirably adapted for the points of departure of steamers, and as a site for small towns, if necessary.
Difference of level between lakes.	On the 30th of May I found the difference of level between the two lakes to be 59½ feet, a difference which would combine with the softness of the soil to render the construction of a canal of communication a matter of considerable difficulty. Several locks would moreover be necessary, and I question whether it would not be better to run the goods across the isthmus on a tramway which might easily be made from one jetty to the other.
Seaton.	At the eastern end of Lake Seaton, 14 miles by water from Flushing is situated the small town of Seaton. The houses are built on the beach, which is not more than 30 or 40 yards broad in the widest places, and immediately in their rear a steep bank about 100 feet high leads to a large diamond shaped plateau or bench, on which there is good grazing land for cattle (bunch grass), and very little timber. The site of Seaton possesses the same advantages as a point of arrival and departure for steamers, as the other places on these lakes, but there is no room to establish a town except on the top of the bench, which would, I think, be too far above the water.
Trial from Seaton to Walden's Bridge.	The trail winds round the point of the plateau at a steep rise, and on attaining a height of about 50 feet is carried along the side of the hill at an undulating level for about half a mile.
Forks of the Kayoosch and Imkumtch.	Here it emerges on a level and very stony plateau about one-third of a mile broad, bounded on the north by the "Imkumtch" and on the south by the "Kayoosch" Rivers. These rivers join in one about three-quarters of a mile further on, and the trail is carried along the plateau to within 100 yards of this point.
Packer's Bridge.	It then crosses the Imkumtch on a rough log bridge built last May by the Packers between Seaton and Kayoosch. A large rock in the bed of the river forms a natural pier for the support of the center of the bridge.
Trail from Packer's Bridge to Kayoosch.	For the next three-quarters of a mile the trail runs along the side of a stony mountain at a considerable elevation, on a small ledge cut for the purpose. This portion of the route is very dangerous, and, owing to the frequency of large slides in the mountain side, impassable for a waggon-road.
Bench-land on Fraser.	Passing round the point of this mountain, the trail emerges on the level grassy bench land peculiar to this district of the Fraser, and running along this land for about 1½ miles at a very slight variation in level reaches the small town of Kayoosch, situated on the western bank of that river.
	The benches in the vicinity of this portion of the Fraser, which are covered with "bunch grass," and in some places scantily timbered, would form excellent grazing lands for cattle, but the soil is, I think, too dry to be cultivated to any extent. There are two or three small rivulets running through the bench on which the town of Kayoosch is situated, which affords a supply sufficient for the wants of the present inhabitants, and for irrigating a small patch of about 10 acres on a lower bench in front of the town, now under cultivation, and I daresay more might be obtained by digging wells,

* The ground here is also marshy.

but water to any great extent is not to be had on the upper benches, either on the Kayoosch or the Fort Berens side of the Fraser.

The majority of the benches, although beautifully clear and level, are, I think, at two great an elevation above the Fraser River to be well adapted as sites for towns, that for instance on which Kayoosch stands being about 150 to 200 feet above the river. They vary in length from half a mile to $1\frac{1}{2}$ miles, and in breadth from 200 to 1,000 yards, the slopes connecting one bench with that above it, being generally at an angle of about 45° .

I was unable to procure any means of crossing to the southern bank of the Kayoosch, but I was able to see sufficient from the opposite side to convince me that, on that bank, at its junction with the Fraser, is the best site for a town in the neighbourhood. At this part a considerable flat, 300 or 400 yards wide, and about 20 feet above the level of the Fraser, (June 1st), extends some distance down the shore of the Fraser and up the Kayoosch.

Behind this flat and about 100 feet above it, is another extensive plateau, to which a town might be extended, while any amount of water power might be obtained in that portion of the town on the lower flat, by flowing from the "Kayoosch."

I suggest, therefore, that instead of crossing the "Imkumtch" at the Forks of that river and the "Kayoosch," the latter river be bridged at, or near the same point, whence an almost natural waggon road extends to the proposed town site on the right bank, a distance of 125 miles.

The trail from Kayoosch to the bank above French Bar requires no alteration whatever, extending along the flat benches at occasional slight changes in level for about $2\frac{1}{4}$ miles. It then runs down a frightfully steep bank to the "Bar," and as the remainder of the route both from this point to the mouth of Bridge River, and thence on to Mormon Bar is so bad as to render the construction of a waggon road barely possible, I will proceed at once to report on the best route to Fountain, that in my opinion the nature of the country will permit.

The Kayoosch should, I think, be bridged from the south, as near its mouth as practicable, and the waggon road carried round near the Fraser at the lowest possible elevation as far as French Bar.

Crossing the Fraser at a point on the bar, which will be found practicable where the river is only about 75 yards wide,* it should ascend the steep bank on the opposite side at a gentle grade, whence, with the exception of one place, subject to slides, the road to Fountain is generally good.

Fountain is situated on the left bank of the Fraser, on a large bench upwards of one mile in length, about 500 yards wide, and 700 or 800 feet above the level of the Fraser, to which the bank makes a direct steep descent.

One-and-a-half miles beyond the Fountain, a trail branches off to the southward and runs at the back of the range of mountains which skirts the left bank of the Fraser as far as the Forks of the Thompson's River. This trail is, I believe, the best and the shortest route from the Forks to the upper country; the country between Kayoosch and the Thompson affords every facility for the construction of a good waggon road on the right bank, though the existing one on the left bank is, I understand, very bad for a large portion of the distance.

Water to a considerable amount is procurable at Fountain, from a lake $2\frac{1}{2}$ miles back in the mountains, but, although a town on the flat might be of some importance in connexion with the branch roads to the Forks, Pavillon, and Kayoosch, the site is at too great an elevation above the Fraser to admit of the establishment of a town in connexion with any traffic that may, at a future period, take place on that river.

The land around and in the valley leading to the Forks is of the same nature as that around Kayoosch, viz.: excellent for grazing, but too dry in summer, unless well irrigated to admit of agriculture to any important extent.

In the Buonaparte Valley which extends from Pavillon to Fort Thompson there are, I understand, from 40 to 50 square miles of rich land fit for cultivation. In this valley too, there is a great deal of black marble, and limestones abound at Pavillon and in its neighbourhood.

With regard to Fountain I should add that a town there might at a future period be of importance in connexion with a road from Canada through the Buonaparte valley to Kayoosch.†

At the south end of Harrison Lake, about three-quarters of a mile to the south-east of the point where the river and lake join a hot spring called "St. Alice's Well" is situated.

The water, whose temperature on the 20th of May was 130° Fahrenheit, bubbles out of a small mass of conglomerate rock 6 inches above the then level of the lake.

It is highly sulphurous, but owing to my having been unable to procure a perfectly clean bottle and cork, the specimen I sent down to Victoria, proves, I regret, to be unfit for further analysis.

Another hot spring, somewhat similar to St. Alice's and of about the same temperature, though not so highly sulphurous, is situated about 60 yards north-east of the Hot Spring House, $23\frac{1}{2}$ miles by the trail from Douglas. By a subsequent cursory examination this water was found to contain chloride of sodium and sulphate of soda, but, owing to the impossibility of my procuring a perfect specimen, an accurate analysis could not be made.

As I thought a few particulars relative to the mines might prove useful, I collected such information *en route* from the miners, as might, I hoped, be depended on.

At French Bar, rockers were averaging from \$4 to \$8 per day to the hand, sluices, \$8 to \$16.

Mormon Bar, opposite Fountain, rockers \$4 to \$12: sluices, \$16 to \$25.

Days' Bar, 2 miles above Fountain, rockers, \$8 to \$12.

Haskell's Bar, 18 miles above Fountain, rockers, \$6 to \$12: sluices, \$16 to \$20.

Big Bar, rockers, \$5 to \$6.

Every sensible miner to whom I spoke on the subject, clearly admitted the existence of gold all along the banks of the Upper Fraser, in considerable quantities; in quantities too, that, were it not for the exorbitantly high prices of provisions and the want of good fresh meat and vegetables, would attract and retain thousands of miners who were then leaving the country.

BRITISH
COLUMBIA.

Proposed site
for town at
mouth of
Kayoosch.

Proposed con-
sequent altera-
tion in route.

Trail from
Kayoosch to
French Bar.

Proposed trail
from Kayoosch
to Fountain.

Fountain.

Trail to the
Forks.

Fountain as a
town site.

Buonaparte
Valley.

St. Alice's
Well.

St. Agnes'
Well.

The mines.

* There is a rock about one-third of the way across covered at high water, but dry in the fall. On this rock a pier might easily be made.

† With reference to other interesting features in the route I would beg to call your attention to the following.

BRITISH
COLUMBIA.

The great cry is for a waggon road, and cheap and good provisions, and these once obtained, there will be no further doubt as to the stay of the miners in the country.

Dry diggings have yet to be found and there is no doubt, will be found, as soon as men have heart and strength to prospect the country in every direction; but as long as bacon and beans are the sole articles of diet, few if any will be found with the heart or strength to do more than support themselves by mining for a few hours each day, much less to travel over such a wild country and such bad trails as they must do, in order to explore the districts in the vicinity of the Upper Fraser.

Prices of pro-
visions.

At Douglas the prices of provisions were as follows on the 11th June, viz. :—

Flour and Beans, each	-	-	-	-	-	6½ cents per lb.
Sugar and Bacon	„	-	-	-	-	25 „
Coffee	-	-	-	-	-	28 „
Tea	-	-	-	-	-	75 „

The prices increase all along the route and were as follows at Fountain on the 5th June, viz. :—

Flour and Beans each	-	-	-	-	-	30 cents per lb.
Sugar and Bacon	„	-	-	-	-	65 „
Coffee	-	-	-	-	-	75 „
Tea	-	-	-	-	-	150 „

Prices up to the end of May had been considerably higher (flour for instance selling at 38 cents,) but owing to the rapid exodus of the miners, were when I arrived falling fast.

Geology.

From the cursory view I was enabled to take of the general geological character of the country "Trappean rocks" appear to prevail, consisting principally of greenstone, dense clay slate (here and there presenting a laminated structure) and compact hornblende. The exposed surfaces of the rocks are very generally covered with the white deposit due to the decomposition of felspar, and are occasionally stained red with iron, forming an agreeable contrast in the landscape. Quartz veins permeate the clay slate in many places, of an average thickness of from 1 to 12 inches; the formation in fact would suggest the high probability of metalliferous deposits.

The mountains rise bold, rugged, and abrupt, with occasional benches on their sides on which are found quantities of worn rounded boulders principally of coarse grained granite, occasionally porphyritic. The granite contains golden coloured and black mica in large quantities. The crystals of felspar in the porphyritic granite are very numerous but small.

The soil appears in many places to have been formed by the decomposition of granite, it being light and sandy and containing much mica.

Below the soil is very generally found a white compact mass, very hard and approaching to a conglomerate, containing pebbles of every description in a matrix of decomposed clay slate.

Lime seems wanting, even in the conglomerate, and I saw no traces of limestone or sandstone all along the route, though I understand there is plenty of the former at Pavillon.

I have, &c.

Queenborough, B. Columbia,

July 1, 1859.

Colonel E. C. Moody, R. E.

&c. &c. &c.

H. SPENCER PALMER,

Lieut. Royal Engineers.

TABLE showing the Astronomical Positions of important Points on the Route, as computed by
Lieut. H. SPENCER PALMER, R.E.

Station at	Latitude North.	Longitude in Time East of Queenboro'.	Absolute Longitude West.
	° ' "	° ' "	° ' "
Queenborough	49 12 58	-	122 53 15
Mouth of Harrison River	0 14 25	3 25.596	0 01 51
South end of Harrison Lake	0 19 00	4 00.688	121 53 04
Douglas	0 45 35	2 46.808	122 11 33
Ten-mile House	0 52 41	2 12.972	0 20 03
South end of Tenass Lake	50 03 00	1 10.445	0 35 38
„ Lillooet Lake	0 07 52	1 09.546	0 35 52
„ Pemberton	0 17 32	0 40.240	0 43 11
„ Anderson	0 32 13	1 11.872	0 35 17
„ Flushing	0 42 25	2 02.356	0 26 39
„ Seaton	0 40 18	3 10.146	0 05 43
„ Kayoosch	0 41 51	3 22.753	0 02 33
Mouth of Bridge River	0 45 33	3 17.753	0 03 48
„ Fountain	0 44 44	3 27.508	0 01 22

(Signed)

H. SPENCER PALMER,

Lieut. Royal Engineers.

TABLE OF DISTANCES.

BRITISH
COLUMBIA.

From	To	Distance by Land (trail) in Miles.	Distance by Water in Miles.
Queenborough Camp	Fort Langley	-	17·000
"	Mouth of Harrison River	-	47·700
"	South end of Harrison Lake	-	57·700
"	Douglas	-	92·700
Douglas	Four Mile House	4·047	—
"	Ten Mile House	11·852	—
"	Sixteen Mile House	18·911	—
"	Hot Spring House	23·881	—
"	The Camp	27·999	—
"	South end of Tenass Lake	34·000	—
Southend of Tenas Lake	South end of Lillooet Lake	-	6·650
"	Pemberton	-	21·130
Pemberton	Half-way House (2nd portage)	15·000	—
"	Anderson	29·000	—
Anderson	Wapping	-	14·000
Wapping	Flushing	1·45	—
Flushing	Seaton	-	14·000
Seaton	Kaynoosch	3·700	—
Kaynoosch	Mouth of Bridge River	4·200	—
"	Point opposite Fountain	6·500	—

Total from Queenborough to Fountain :—By land (trail) - - - 74·65 miles.
By water - - - 141·83 "

Entire distance, Queenborough to Fountain - - - 216·48 "

(Signed) H. SPENCER PALMER,
Lieut., Royal Engineers.

No. 24.

No. 24.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTON, Bart., M.P.

(No. 207.)

Victoria, Vancouver's Island, August 23, 1859.

(Received October 10, 1859.)

(Answered No. 33, October 28, 1859, page 105.)

Sir,

HAVING been much occupied of late with the affairs of Vancouver's Island, I have not in my last Despatches adverted to the state of British Columbia. That Colony is making satisfactory progress.

2. The great enterprise of the season, the waggon road from Douglas through the valley of the Harrison River to the Upper Fraser, beyond the mountains, has been necessarily retarded by the withdrawal of the Royal Marines for service on the Island of San Juan; but the work is still being prosecuted by a detachment of Royal Engineers, under the command of Captain Grant. That force is, however, insufficient to make much impression this season on a work of such magnitude; winter will in all probability find us unprepared, and we shall have again to encounter the arduous task of feeding the mining population of the interior, by packing provisions on mules over the present road; a process so expensive as materially to add to the cost of living, and consequently notwithstanding their large earnings, the miners are, from positive inability to live, compelled in great numbers to abandon the country.

3. Money is greatly wanted for carrying on that indispensable work, which might be completed for the sum of 30,000/.

4. That sum I have no doubt could be easily raised by way of loan either in England or in this country, provided its repayment were guaranteed by Parliament, and I would beg to draw the attention of Her Majesty's Government to that subject in order to procure the necessary aid for accomplishing an enterprise worthy of our country, and removing the great impediment to the development of the mining regions of British Columbia. Its influence in promoting the prosperity of the country would be incalculably great, and it would lead to so large an increase of the public revenue as soon to repay the preliminary outlay.

5. On the contrary, without such facilities of access, the country will have to struggle on amidst the discouragements of poverty and distress.

6. The mule road from Fort Hope to Boston Bar has been recently completed, and will be of great advantage to that district of the country.

7. Much is also required to be done in improving the road from Fort Yale by the passes of Fraser's River; in short, on all sides is the helping hand of Government urgently required in opening a free access into a country whose resources are probably greater than our most sanguine speculations ever contemplated. Every step in advance confirms that opinion, and reveals more distinctly the auriferous wealth of the country.

8. My advices from Fort Yale are up to the 17th of August. Mr. Commissioner Sanders reports that the miners are, almost without exception, doing exceedingly well, and in the newly discovered diggings at Quesnel's River, are making on the average one ounce of gold to the man per diem.

9. Those accounts are confirmed by numberless letters from persons in the interior to their former partners or friends in the Fort Yale district, exhausting all their powers of persuasion to induce them to join them at Alexandria.

10. Mr. Cox, a revenue officer employed in the district of Thompson's River, reports that the miners in that part of the country are making very large wages, and mentions that one company of five men were procuring by sluices an aggregate return of from 250 to 300 dollars a day; and others with the cradle were averaging each from 10 to 12 dollars a day.

11. The newly explored tract of mining country about Alexandria and Quesnel's River is reported to have more of the general features of a gold country than any yet known part of British Columbia. The miners appear fully satisfied on that point, and of the auriferous character of the soil in the valley of Fraser's River; already are hydraulic mining associations forming, who expect to derive considerable profit by that process, from benches and flats which cannot at present be worked to advantage for want of water.

12. The miners on Fraser's River have been much delayed this season by the high state of the water, which has now subsided, and they have resumed work with great spirit.

13. Ditch owners on the other hand have already felt the want of water, and complain that the streams from which they draw can hardly supply one-fourth of the usual and requisite quantity of water.

14. Much anxiety has been expressed by the miners generally on the subject of banks of deposit, which are greatly needed in every district of British Columbia. The miners only alternative at present being to bury his gold dust for security, which is known to be the general practice in Fraser's River; but were banks of deposit established, they would willingly pay a monthly per-centage on any sums they might deposit.

15. I have long been convinced of the value and importance of such institutions; but without the assistance of men of tried integrity and business habits, no such scheme could be carried out with advantage to individuals or to the public.

16. The country is everywhere in a perfectly tranquil state.

17. A body of nearly 100 gold miners sailed from this place on the 27th of July to explore the gold fields of Queen Charlotte's Island, and I trust this little band of pioneers will meet with the success their enterprise deserves. The expedition was equipped entirely at their own expense. I promised, however, to exempt the party from all taxes for six months to come, and to allow them certain privileges in respect to quartz claims, not inconsistent however with the provisions of the general mining regulations which I propose shortly to issue.

18. I also promised to protect them in the prosecution of their enterprise as far as the means at my disposal allow, and in fulfilment of that promise I have made a requisition on Rear Admiral Baynes, for the assistance of a ship of war to visit the place where they intend to form their settlement.

19. If that attempt proves successful the result will be highly important for the colony, and Queen Charlotte's Island, which abounds in minerals, and its coasts with fish, will soon become the resort of many flourishing settlements.

20. I am looking forward with great anxiety for the arrival of the two gunboats which Her Majesty's Government announced in your Despatch No. 30,* of the 10th March, it was intended to place at my disposal for the defence and protection of this colony.

* Vide papers
presented
August 1859,
page 81.

21. Those vessels would be of incalculable advantage to the country ; its coasts might then be explored, settlements formed, and protected from Indian violence, in a manner which with my present means is simply impossible.

22. The late numbers of the "Victoria Gazette"* are herewith transmitted for your information.

BRITISH
COLUMBIA.

Nos. 8 to 26 of
the Victoria
Gazette, July
12 to Aug. 23

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 25.

No. 25.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 218.)

Victoria, Vancouver's Island, September 13, 1859.

MY LORD DUKE,

(Received November 1, 1859.)

I HAVE the honour to transmit herewith, for the information of Her Majesty's Government, copies of the following Proclamations which have been lately issued for the colony of British Columbia, *i.e.*

- (7.) Proclamation, dated 15th May 1859, for the naturalization of aliens in the colony of British Columbia, alluded to in my Despatch No. 167* of the 8th June last.
- (8.) Proclamation, dated 19th May 1859, for the relief of Her Majesty's subjects, entitled the "Oaths Act," 1859.
- (9.) Proclamation, dated 2nd June 1859, altering, in some respects, the act for levying duties of customs on imports into British Columbia.
- (10.) Proclamation, dated 15th June 1859, imposing tonnage, pilotage, and harbour dues at the Port of Queensborough, now New Westminster, British Columbia.
- (11.) Proclamation, dated 25th June 1859, amending the same.
- (12.) Proclamation, dated 10th August 1859, amending the laws relating to the licences for selling spirits, &c., and for other purposes.
- (13.) Proclamations, dated 31st August 1859, entitled the "Gold Fields Act," together with rules and regulations for working of gold mines, dated 7th September 1859.

* Page 20.

2. The "Aliens Act" confers upon such persons the privilege of holding and conveying real estate, and of being naturalized, within the colony, after a residence therein of three years, and is calculated in all its provisions to attach the alien to the country of his adoption, and through a sense of obligation to Her Majesty's rule.

3. The amended "Customs Act" imposes further duties :—

On tobacco, for purely revenue purposes.

On distilled liquors and spirits of all sorts, not only to increase the revenue but also with the view of reducing the disparity of cost to the consumer between the cheap American spirits, now largely imported from San Francisco, and the better qualities of spirits imported from Great Britain; and to encourage the importation of the latter.

On flour and other articles of food, entering largely into the consumption of the mining population, for revenue purposes. These articles were previously charged with a low specific duty, for the benefit of that class, who were then taxed through the act imposing a monthly mining licence fee, which is now repealed.

4. The "Spirit Licence Act" repeals all former acts for levying duties on the sales of wines and spirits.

The charge on spirit licences is reduced to a much lower sum, intended to compensate, in the case of keepers of licensed houses, for the increased customs duties levied on spirits.

5. The "Gold Fields Act," with the annexed rules and regulations, embraces the whole subject of gold mining, and provides very fully for contingent questions. Miners' rights are guarded with special care. As a class they are free from any direct taxes beyond the annual charge of 1*l.* for the free miners' certificate.

That document places them in a position of perfect security, with respect to mining claims, and secures to each free miner the right of voting at elections.

Mining boards, having a power to make byelaws, with the consent of the Gold Commissioner, may be formed whenever 100 or more registered free miners are found in any district.

It is also provided that the mining boards may be dissolved by the Governor, a power which it may, in certain cases, be necessary to use ; at the same time the mining boards

BRITISH
COLUMBIA.

will be fostered and encouraged as long as they confine their influence to its legitimate object, that of improving the condition of the gold fields.

The other acts do not appear to require special notice, and, with those reported on, will I trust meet with your Grace's approval.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Encl. 1 in
No. 25.

(No 1.)

Enclosure 1 in No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas it is expedient to afford to aliens desirous of becoming naturalized British subjects, facilities for so doing, and also to afford greater security and facility in the possession and transferring of land, and for quieting of titles transmitted in part or in whole through aliens:

Now, therefore, I do hereby declare, proclaim, and enact as follows, viz:

1. Every alien now residing, or who may hereafter come to reside in the said Colony with intent to settle therein, and who shall have actually resided therein, or in the adjacent Colony of Vancouver Island, or partly in the one Colony and partly in the other, for a continuous period of three years, without having been, during any portion of that time, a stated resident in any foreign country out of Her Majesty's dominions, shall be entitled to procure himself to be naturalized in manner herein-after described.

2. Every alien desirous of becoming so naturalized, shall procure a declaration of residence and character, to be made and subscribed by some British subject in the form marked A. in the schedule hereto. Such alien shall, in the next place, make and subscribe a declaration of residence in the form marked B., in the said schedule hereto, and shall also take the oath of allegiance to Her Majesty and Her Successors, in the form marked C. in the said schedule.

3. Every such declaration and oath may be taken, made, and subscribed before any Justice of the Peace acting in any part of the Colony of British Columbia, or before any person appointed by Her Majesty to be a judge in British Columbia. Every such declaration and oath shall be forthwith delivered to such alien, with the certificate at the foot thereof, signed by such justice of peace, or by the registrar of the said judge, stating the compliance on the part of the said alien with the regulations herein-before contained.

4. It shall be lawful for the said alien to present all the said documents, properly subscribed and filled up as aforesaid, in open Court, on the first day of any assizes or general sittings of the Court of British Columbia, in any place in the said Colony. And all such documents shall be then read aloud in open Court, and it shall be lawful for the said Court, on the last day of the said assizes or general sittings, to order all the said documents and proceedings to be entered as of record in the said Court. And thereupon such alien shall be admitted and deemed, while within the said Colony of British Columbia, to be thenceforth a British subject to all intents and purposes whatever, and to hold, enjoy, and transmit all property, rights and capacities, in the same manner as if born within Her Majesty's dominions.

5. Any woman (not a British subject previously to her marriage) married to a British subject, whether by birth or naturalization, shall be deemed to be a British subject, naturalized as from the date of her marriage, or of her husband's naturalization, whichever event shall last happen.

6. The declarations herein-before referred to (the forms whereof are set forth in the schedule hereunto) shall be deemed to be made in accordance with the Act 5 & 6 Wm. 4. c. 62, for the abolition of unnecessary oaths; and any wilful false statement made therein shall be deemed perjury, and shall expose every person making such false statement, or procuring the same to be made, to all the penalties of perjury. And in addition to all such penalties, it shall be lawful for the said Court, on motion by the prosecutor, on any trial for perjury or subornation of perjury in respect of any such declaration, to declare null and void the naturalization based upon such false declaration; and thereupon all such steps shall be taken as shall be thought fitting by the said Court. Provided nevertheless, that nothing shall affect the rights of any other person, derived under the person whose naturalization is so annulled, unless such other person shall have been cognizant of the perjury at the time of acquiring the right.

7. There shall be paid to the justice of the peace before whom such declarations and oath as aforesaid shall be taken and subscribed, the sum of four shillings and no more for each such declaration and for such oath respectively; and by the registrar of the said Court for reading and recording the said certificate and documents, the sum of six shillings and no more; and for every copy of such documents the same amount as for an office copy of any judgment of the said Court. And all such fees shall be applied as any other fees payable to justices and registrars are applicable by law or custom.

8. Every alien shall have the same capacity to take, hold, enjoy, recover, convey, and transmit title to lands and real estate of every description, in this colony, as if he were, at the time of the passing of

this Act, a natural born British subject; and no person shall be disturbed in the possession or precluded from the recovery of any lands or real estate in this colony by reason only that some person from or through whom he may derive his title was an alien.

9. This Act may be referred to in all legal proceedings as the Aliens Act, 1859.

Issued under the Public Seal of the said Colony, at Victoria, this 14th day of May 1859, in the Twenty-second year of Her Majesty's Reign, by me,

JAMES DOUGLAS. (L.S.)

By his Excellency's command.

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

GOD SAVE THE QUEEN.

The Schedule before referred to.

FORM A.

I, M.N. of do solemnly declare that I am a naturalized British subject (or British-born subject, as the case may be) and that I have known A.B. of a Prussian subject (or as the case may be) ever since and that the said A.B. has resided within the Colony of for a period of [three years or upwards], that he is a person of good character, and that there exists to my knowledge no reason why to the said A.B. there should not be granted all the right and capacities of a natural born British subject, and I make this solemn declaration conscientiously believing the same to be true, and in compliance with the provisions of the statute made and passed in the session of Parliament held in the 5th and 6th years of the reign of the late King William IV., intituled an Act for the abolition of unnecessary oaths.

Signed M.N.

Declared and subscribed by the said M.N., before me, in pursuance of an Act of the Imperial Parliament of the United Kingdom, 5 & 6 William IV. c. 62, and of the Proclamation of the 14th day of May 1859. And I hereby certify that to the best of my knowledge and belief, the said A.B. has complied with the requisite formalities specified in such Proclamation, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

(Signed) J.P.

J. P. for British Columbia, residing at this day of 185 .

FORM B.

I, A.B. do solemnly declare that I have resided three years in this colony (or in this colony and the adjacent colony of Vancouver's Island, as the case may be) with intent to settle in this colony, and without having been during that time a stated resident in any foreign country. And I make this solemn declaration conscientiously believing the same to be true, and in compliance with the provisions of the statute made and passed in the session of Parliament, held in the 5th and 6th years of the reign of the late King William IV., intituled an Act for the abolition of unnecessary oaths.

(Signed) A.B.

Declared and subscribed before me, in pursuance of an Act of the Imperial Parliament of the United Kingdom, 5 & 6 William IV. c. 62, and of the Proclamation of the 14th day of May 1859. And I hereby certify that to the best of my knowledge and belief the said A.B. has complied with the requisite formalities specified in such Proclamation, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

Signed J.P.

J. P. for British Columbia, residing at this day of 185 .

FORM C.

Oath of Allegiance.

I, A.B., do swear that I will be faithful and bear true allegiance to Her Majesty Victoria, of the United Kingdom of Great Britain and Ireland, and of the dependencies and colonies thereof in Europe, Asia, Africa, America, and Australasia, Queen, and that I will defend Her to the utmost of my power against all conspiracies and attempts whatever, which shall be made against Her Person, Crown, or Dignity, and I will do my utmost to endeavour to disclose and make known to Her Majesty, Her Heirs and Successors, all treasons and traitorous conspiracies which may be formed against Her or them. And I do faithfully promise to maintain, support, and defend to the utmost of my power the succession of the Crown, which succession by an Act intituled "An Act for the further Limitation of the Crown and better securing the Rights and Liberties of the Subject," is and stands limited to the Princess Sophia, Electress of Hanover, and the Heirs of Her Body, being Protestants, hereby renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the Crown of the said realm and its dependencies and colonies as aforesaid, and I do declare that no foreign prince, person, prelate, state, or potentate hath or ought to have any jurisdiction, power, superiority, pre-

BRITISH COLUMBIA. eminence or authority, ecclesiastical or spiritual, within the same or any other part thereof. And I make this declaration upon the true faith of a Christian. So help me God.

(Signed) A.B.
Sworn and subscribed by the said A.B., before me, this day of 185 . And I hereby certify that to the best of my knowledge and belief, the said A.B. has complied with the requisite formalities specified in the Proclamation of the 14th day of May 1859, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

(Signed) J.P.
Justice of the Peace for British Columbia, residing at this day of 185 .

Encl. 2 in
No. 25.

(No. 2.)

Enclosure 2 in No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said colony, and have been authorized by Proclamation under the Public Seal of the said colony to make laws, institutions and ordinances for the peace, order, and good government of the same:

And whereas it may be doubted whether the provisions of an Act of the Imperial Parliament made and passed in the tenth year of the reign of His late Majesty King George IV., intituled "An Act for the relief of His Majesty's Roman Catholic Subjects," or of an Act of the Imperial Parliament made and passed in the 22nd year of the reign of Her most Gracious Majesty Queen Victoria, intituled "An Act to substitute one oath for the oaths of allegiance, supremacy, and abjuration, and for the relief of Her Majesty's subjects professing the Jewish Religion," and of another Act made and passed in the same year, intituled "An Act to provide for the relief of Her Majesty's subjects professing the Jewish Religion" are applicable to persons not subjects of Her Majesty: And whereas it is expedient to give relief to the consciences of all such persons, as well subjects of Her Majesty as aliens, and also to give relief to the consciences of all persons who shall be conscientiously unwilling to be sworn:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1. If any person called as a witness in any Court of Judicature, or required or desiring to take any oath or to make an affidavit or deposition, shall refuse or be unwilling from alleged conscientious motives to be sworn, it shall be lawful for the Court or Judge, or other presiding officer or person qualified to take such oath, affidavit, or deposition, upon being satisfied of the sincerity of such objection, to permit such person, instead of being sworn, to make his or her solemn affirmation or declaration in the words following; viz.,

"I, A. B., do solemnly, sincerely and truly affirm and declare, that the taking of any oath is, according to my religious belief unlawful, and I do solemnly, sincerely and truly affirm and declare," &c. &c.

Which solemn affirmation and declaration shall be of the same force and effect as if such person had taken an oath in the usual form, and shall in like manner infer the penalty of perjury in case of falsehood.

2. If any person professing the Roman Catholic religion shall be required by any lawful authority, or shall be desirous for any purpose to take the oath of allegiance to Her Majesty, Her heirs and successors, it shall be sufficient if he shall in lieu thereof take the oath in the form appointed and set forth in the 2nd section of the Act made and passed in the Parliament of the United Kingdom, held in the tenth year of His late Majesty King George IV. intituled "An Act for the Relief of His Majesty's Roman Catholic Subjects."

3. If any of the persuasion of people called Quakers, or any other person under this or any other law permitted to make his solemn declaration or affirmation in lieu of an oath, or any person professing the Jewish religion, shall at any time be required by any lawful authority, or shall be desirous for any purpose to take the oath of allegiance to Her Majesty, Her heirs or successors, or any form of oath containing the words "And I make this declaration upon the true faith of a Christian" the said words, "and I make this declaration upon the true faith of a Christian," shall be omitted in the form of oath to be taken or the declaration or affirmation in lieu of an oath to be made by such person. And the taking of every such oath, or the making of such affirmation and declaration with such omission as aforesaid shall have the same force and effect as the taking and subscribing by other persons of the oath containing the said words "and I make this declaration upon the true faith of a Christian."

4. This Proclamation may in all legal proceedings and documents be referred to as "The Oaths Act, 1859."

Issued under the Public Seal of the said Colony at Victoria, this 19th day of May, one thousand eight hundred and fifty-nine, in the Twenty-second year of Her Majesty's reign,
by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency,

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Enclosure 3 in No. 25.

PROCLAMATION.

(No. 3.)

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

BRITISH
COLUMBIA.
Encl. 3 in
No. 25.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by proclamation under the Public Seal of the said Colony to make laws and institutions and ordinances for the peace, order, and good government of the same:

And whereas it is expedient to alter in some respects the rates of duties of Customs now leviable upon goods and other articles and things imported into British Columbia, and to make further provision for the levying thereof:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1st. All goods, animals, and articles not herein-after specifically charged with any duty of Customs, and not herein-after exempted from the payment of duties of Customs, shall on being imported into British Columbia be charged and chargeable with a duty of ten pounds for every one hundred pounds value thereof at the port of entry.

2nd. There shall be levied and paid on the goods, articles, and animals next herein-after mentioned the duties of Customs following; viz.,

Spirits and distilled liquors of all sorts, sweetened or otherwise, for every *s. d.*
imperial gallon of full strength or less than full strength of proof, by

Sykes' hydrometer - - - - - 6 3

And so in proportion for any greater strength than proof, or for any less quantity than one gallon.

Bulls, cows, oxen, horses, asses, and mules per head - - - - - 4 2

Sheep and goats per head - - - - - 2 1

Tobacco, viz., cigars and cheroots per 100 - - - - - 4 2

Tobacco, viz., snuff and other preparations per pound - - - - - 0 6

3rd. The following goods, animals, and articles shall be admitted into British Columbia free of all duties, viz., Coin, fresh meat, fresh fruit, and fresh vegetables, poultry alive or dead, machinery for agricultural purposes, seeds and bulbs, and roots of plants to be used in agriculture and not as food, salt, printed and manuscript books and papers, and the baggage and apparel, household furniture and professional apparatus of passengers. And also, all goods, animals, and articles whatever imported for the public service or uses of the Colony of British Columbia, or for the use of Her Majesty's land or sea forces, or of any person holding any command or appointment in Her Majesty's forces aforesaid. Provided always, that all articles so excepted from duty as above mentioned, as being property of passengers or officers, shall be *bonâ fide* the property of such passengers and officers, and not intended for making a profit by the sale or hire thereof.

4th. From and after the 15th day of June now next, the port of Queensborough shall be the sole port of entry for all vessels entering Fraser River, and for all goods imported by sea into the ports of British Columbia adjacent to Fraser River. And all vessels desirous of clearing for any other port of British Columbia may thenceforth clear at Queensborough aforesaid for such ports as may for the time being be open for traffic: Provided, nevertheless, that until the said 15th day of June now next, all the duties hereby made leviable shall be ascertained, levied, and paid at Victoria, in Vancouver Island, in the same manner as heretofore has been used with respect to the duties now levied and paid, and the same shall be under the management of the Collector of Her Majesty's Customs for British Columbia; provided further, that all vessels desirous to clear for any port in British Columbia north of Fraser River, which may for the time being be open for traffic, may do so, clearing as heretofore at the port of Victoria aforesaid, paying nevertheless the full duties hereby charged and made leviable, and all such last-mentioned duties shall be paid to and under the management of the Collector of Her Majesty's Customs for British Columbia.

5th. The bill of entry and the declaration of the importer shall be according to the form prescribed for the entry of dutiable goods by the Act of the Imperial Parliament passed in the 16th and 17th year of Queen Victoria, entitled the "Customs Consolidation Act, 1853."

6th. All evasions and offences committed by any person or persons to defeat the payment of the duties hereby made payable on any goods imported into British Columbia will be prosecuted and punished in the manner prescribed by the said "Customs Consolidation Act, 1853."

7th. The expression "British Columbia" shall include the whole Colony of British Columbia with its dependencies as by law established.

8th. This proclamation shall take effect, and the duties hereby imposed shall be leviable upon any goods imported or attempted to be imported into British Columbia, from and after the 3rd day of June now next.

Issued under the Public Seal of the said Colony, at Victoria, this 2nd day of June, one thousand eight hundred and fifty-nine, in the Twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Enclosure 4 in No. 25.

BRITISH
COLUMBIA.Encl. 4 in
No. 25.

(No. 4.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by proclamation under the Public Seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1. From and after the 15th day of June now next there shall be levied, collected, and paid at the Port of Queensborough, in the said Colony, for the use of Her Majesty, Her heirs and successors, as and for tonnage, pilotage and harbour dues on all vessels clearing outwards at the said port for parts beyond sea, or entering inwards at the said port from parts beyond sea, and on the cargoes and contents of such vessels, the several sums mentioned in the Schedule hereto in respect of the particulars opposite to such several sums.

2. The fees for pilotage mentioned in the said Schedule shall be paid in full only where the vessel shall have actually made use of the services of a licensed pilot. Where a licensed pilot shall have offered his services to or hailed a vessel leaving or making for the said port, and his services shall have been declined, half the dues mentioned in the Schedule shall be payable by such vessel to such pilot. Where no licensed pilot shall have been employed or offered his services or hailed such vessel, or where such vessel carries on board as one of her crew a licensed pilot belonging to the said port, no pilotage shall be payable.

3. All moneys and dues hereby made payable may be paid to the Collector, who is hereby authorized to demand and enforce payment of all such moneys from the master of the vessel in respect whereof such moneys are payable, and to give full and complete receipts and discharges for the same.

4. In case of any dispute concerning any moneys hereby authorized to be levied and paid or the evasion or attempted evasion of the payment thereof, the amount payable shall be ascertained and recoverable under the provisions of the Customs Consolidation Act, 1853, so far as such provisions are from local circumstances capable of being applied, in the same manner as if the moneys hereby made payable were duties of Customs lawfully imposed.

5. From and after the 15th day of June instant the Proclamation of the 5th March last past, and every clause and provision therein, shall cease and be of none effect, save as to moneys and penalties recoverable, payable, and enforceable under the same Proclamation previously to the date hereof.

6. In the construction of this Proclamation and the Schedule hereto the expression "parts beyond sea" shall include any port upon or beyond the Gulf of Georgia or any of the inlets thereof; the expression "vessels" shall include canoes and boats; the expression "Collector" shall mean the Collector of Her Majesty's duties of Customs at the said port of Queensborough, or in his absence the person for the time being performing the functions of such Collector; and the port of Queensborough shall comprise all the waters, mouths, and channels of Fraser River between the deep water of the Gulf of Georgia and a line drawn due north and south through the eastern extremity of Tree Island.

Issued under the Public Seal of the Colony of British Columbia, this 15th day of June, one thousand eight hundred and fifty-nine, at Langley, in the said Colony.

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

The SCHEDULE above referred to.

	£	s.	d.
For every sailing ship or vessel above 30 tons register either entering or leaving the said port, per ton register	-	-	0 0 3
For every steam vessel either entering or leaving the said port, per ton register	-	0	0 2
For every vessel of and under 30 tons, including boats and canoes	-	0	7 6
For every passenger on board any vessel conveyed to or from parts beyond sea	-	0	4 0

Pilotage; viz.,

For every Vessel clearing for or entering from parts beyond sea; viz.,			
If less than six feet draught of water	-	-	5 0 0
If more than six feet and less than seven feet draught of water	-	-	5 10 0
And for every additional foot of water up to 12 feet	-	-	0 10 0
And for every additional foot of water above 12 feet	-	-	0 15 0

Inland Navigation; viz.,

Every steamer trading on the Fraser River, and not trading to any part beyond sea, per ton register per annum	-	-	0 2 0
---	---	---	-------

(No. 5.)

Enclosure 5 in No. 25.

BRITISH
COLUMBIA.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Encl. 5 in
No. 25.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas by a Proclamation issued on the 15th day of June 1859 certain changes were made in the manner of levying, and the amount of clearance, pilotage, and other dues, and fees for British Columbia: And whereas some unavoidable delays have occurred in giving public notice of the intended changes thereby made:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1. The dues, moneys, and fees payable by the said Proclamation from the date therein mentioned shall, except as herein-after mentioned, be payable, ascertained, and recoverable from the 5th day of July 1859, according to the said method in the said Proclamation of the 15th day of June prescribed.
2. So much of the said Proclamation as prescribes a due for every passenger on board any vessel conveyed to parts beyond the sea is hereby repealed.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this 25th day of June one thousand eight hundred and fifty-nine, in the Twenty-third year of Her Majesty's reign.

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

(No. 6.)

Enclosure 6 in No. 25.

Encl. 6 in
No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

To amend the Laws relating to the Licences for Selling fermented Liquors, and for the Occupation of Crown Lands by Traders, and for other purposes.

WHEREAS under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

I. The Proclamations of the 28th day of December 1857, and of the 8th day of February last, and the Regulations of the 30th day of December 1857, and of the 13th day of July 1858, shall, from and after the 31st day of August 1859, cease and be of none effect, save only as to any wrongs and penalties recoverable and enforceable under the said Proclamations or Regulations, or any of them.

II. From and after the 31st day of August 1859, there shall be payable and paid, by every person described in the Schedule hereto, in lieu of all sums heretofore payable in respect of all or any such matters, licences, and trades therein specified, the sums therein respectively mentioned, and therein set opposite to the said several matters, licences, and trades respectively, and the said Schedule shall be taken to be part of this Proclamation.

III. All moneys payable under this Proclamation shall be payable in advance.

IV. This Proclamation may on all occasions be cited as the "Licences Act, 1859."

Issued under the Public Seal of the said Colony, at Victoria, this Tenth day of August, one thousand eight hundred and fifty-nine, in the Twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

BRITISH
COLUMBIA.

The SCHEDULE above referred to.

By each person vending spirituous or fermented liquors by retail, for each house or place in the Colony where such vending is carried on, if in a town - - - - -	25 <i>l</i> . for one year.
Where such vending is carried on in a rural district not forming part of a town - - - - -	10 <i>l</i> . for one year.
By each person not having a retail licence as above, and vending spirituous and fermented liquors for wholesale, for each house or place in the Colony - - - - -	10 <i>l</i> . for one year.
By every person carrying on any other trade - - - - -	1 <i>l</i> . for every 3 months.
Such last-mentioned licence to enable the person paying the same to change his place or abode of business at pleasure, but not to carry on business at two places, at the same time, under one licence. And in case of partnerships, every partner carrying on business in the Colony, during any portion of a quarter, must take out a trading licence for that quarter.	
By every person occupying any Crown lands, by making any erections thereon, and carrying on any trade upon the same, in addition to the duties above charged, and for the use of the land so occupied by him -	10 <i>s</i> . for every month.

Encl. 7 in
No. 25.

(No. 7.)

Enclosure 7 in No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice-Admiral of the same, &c. &c.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas by the "Licences Act, 1859," it was declared that from and after the 31st day of August 1859 the Proclamation of the 8th day of February last past, and the regulations and instructions therein mentioned and referred to, and bearing date respectively the 13th July 1858, the 28th December 1857, and the 30th December 1857 should cease and be of no effect:

And whereas it is expedient to make provision for regulating the law of gold mines in British Columbia in lieu of the provisions so repealed, and for the administration of justice therein.

Now, therefore, I, James Douglas, do hereby declare, proclaim, and enact as follows; viz.,

Interpretation :
clause,
"Governor."

I. In the construction of this Proclamation the following expressions shall have the following interpretations respectively, unless there be something inconsistent or repugnant thereto in the context; viz., "The Governor" shall include any person or persons for the time being lawfully exercising the authority of a Governor of British Columbia.

"Gold Commissioner."

The expression "Gold Commissioner" shall include Assistant Gold Commissioner and Justices of the Peace acting as Gold Commissioners either under special authority or the authority of this Proclamation, or any other person lawfully exercising the jurisdiction of a Gold Commissioner for the locality referred to.

"Mine."

The word "mine" shall mean any bar or separate locality in which any vein, stratum, or natural bed of auriferous earth or rock shall be mined.

"To mine."

The verb "to mine" shall include any mode or method of working whatsoever, whereby the soil or earth, or any rock may be disturbed, removed, washed, sifted, smelted, refined, crushed, or otherwise dealt with for the purpose of obtaining gold, and whether the same may have been previously disturbed or not.

"Claim."

"Claim" shall mean in speaking of individual persons so much of any mine as by law may belong or be alleged to belong to the individual spoken of, and in speaking of any partnership so much of any mine as may by law belong or be alleged to belong to the persons of whom the partnership shall exist, but shall not extend to a lease of auriferous land as mentioned in clause 11.

"Free Miner."

"Free Miner" shall mean a person named in and lawfully possessed of an existing valid Free Miner's certificate.

"Registered Free Miner."

"Registered Free Miner" shall mean a free miner registered as entitled in his own right to any claim, lease of auriferous earth, ditch, or water privilege.

And words in the singular number shall include the plural, and the masculine gender shall include the feminine gender.

Gold Commissioners to be appointed by the Governor under the Public Seal.

II. It shall be lawful for his Excellency the Governor by any document under his hand and the Public Seal of the Colony, from time to time to appoint such persons as he shall think proper, to be Chief Gold Commissioner or Gold Commissioners or Assistant Gold Commissioners in British Columbia, either for the whole Colony or for any particular district or districts therein, and from time to time in like manner to fix and vary the limits of such districts, and limit new districts, and to revoke any such appointments and make new appointments, and vary such limits and subdivide any such districts into separate and independent districts.

III. It shall be the duty of every Gold Commissioner upon payment of 1*l*. to deliver to any person applying for the same, a certificate to be called a Free Miner's Certificate, which may be in the following form:—

BRITISH COLUMBIA.

BRITISH COLUMBIA.

FREE MINER'S CERTIFICATE.

Free Miner's Certificate.

Date,

Not transferable.

No.

Valid for one year.

This is to certify that A. B. of _____ has paid me this day the sum of One Pound Sterling, and is entitled to all the rights and privileges of a Free Miner for one year from the date hereof.

(Countersigned) A. B.

(Signed) G. B.

(Signature of Free Miner.)

Chief Gold Commissioner, or Assistant
Gold Commissioner, or Justice of the
Peace, as the case may be.

IV. The Free Miner's Certificate shall continue in force for twelve calendar months from the date thereof, including the day of issuing the same, and no longer, and shall not be transferable or capable of conferring any rights upon any other person than the person therein named, and only one person shall be named as a free miner in each certificate

To continue in force for one year.

Such certificate must be countersigned by the free miner therein named before being produced by him for any purpose. And where such certificate shall be issued to the free miner therein named in person, the Gold Commissioner or the person issuing the same shall cause the same to be countersigned by the applicant before himself signing or delivering the same.

Must be countersigned by the free miner.

V. Every free miner shall, during the continuance of his certificate have the right to enter without let or hindrance upon any of the waste lands of the crown, not for the time being lawfully occupied by any other person, and to mine in the land so entered upon.

Right to enter and mine.

VI. All persons who shall at the date of this Proclamation coming into force, or previous to the 27th of October 1859, hold any claim, ditch, or water privilege, must on or before the 1st of November, now next, and all persons who shall at any time after the 26th of October now next, hold any claim, lease, ditch, or water privilege must within such space of time after first taking possession thereof, as shall be fixed by the rules, regulations, or byelaws for the time being in force in the place or district in which such claim, lease, ditch, or water privilege shall be situated, register the same at the office of the Gold Commissioner, who shall record in a tabular form, in a book or books to be kept by him, the name of the holder, the dates of his certificate, of his taking possession, and of his recording the claim, the name of the mine, and the distinguishing number of the claim, and all such further particulars as shall from time to time be required by any valid byelaw for the place or district. And such registration shall be valid for the space of one year and no longer.

Registration of claim annually.

Four shillings shall be taken by the Gold Commissioner for the use of Her Majesty, Her Heirs and Successors, upon every registration or re-registration of any claim; and no person not being a free miner shall be entitled to record a claim or any interest therein.

VII. Every free miner shall have during the continuance of his certificate the exclusive right to the soil and gold in any claim for the time being duly registered and worked by him according to the regulations and byelaws hereby authorized to be issued, and for the time being in force, in relation to the locality or district where such claim is situated.

Free miners alone recognized as having any right in claims, &c.

No person shall be recognized as having any right or interest in, or to any claim or any of the gold therein unless he shall be, or in case of any disputed ownership unless he shall have been at the time of the dispute arising a free miner.

VIII. In case of any dispute the title to claims, leases of auriferous earth or rock, ditches, and water privileges will be recognized according to the priority of registration, subject only to any question which may be raised as to the validity of any particular act of registration.

Priority of right shall be recognized according to priority of registration.

IX. Every Gold Commissioner at the time of issuing any free miner's certificate shall record the paper by date, number, and name of the free miner named therein, and whether such certificate was issued to such miner in person or on the application of another person, and the applicant's name, and shall on the 1st of January, 1st of April, 1st of July, and 1st of October in every year cause to be made out a revised list of all the free miners holding certificates issued by himself and still in force, and also of all free miners registered as holding claims in his district, and shall cause to be posted up in a conspicuous place on each mine in his district, a list of the free miners for the time being as holding registered claims in such mine.

Records to be kept of the F. M. C. issued.

The Chief Gold Commissioner shall in like manner, on the 1st of January and 1st of July in every year, cause a revised list to be published of all the free miners in British Columbia. All such records and lists shall be open to the inspection of the public gratis, under such reasonable regulations as to hours or otherwise as the Gold Commissioner in each place or district may from time to time ordain.

X. In case any free miner's certificate shall be accidentally destroyed or lost, the same may, upon evidence of such loss or destruction, be replaced by a new certificate to bear the same date and to be issued and signed by the Gold Commissioner for the same district as such lost or destroyed certificate. Every such new certificate shall be marked "substituted for original of same date this _____ day of _____"

Lost certificates.

And until some material irregularity or impropriety be shown in respect thereof, every original or substituted free miner's certificate shall be evidence of all the matters stated therein or clearly implied thereby.

XI. Leases of any portions of the waste lands of the Crown may be granted for mining purposes, for such term of years, and upon such conditions as to rent and the mode of working, and as to any water privileges connected therewith, and otherwise in each case, as shall be deemed expedient by his Excellency the Governor.

Leases of auriferous lands.

XII. In respect to any place or district wherein there shall for the time being be no Mining Board as herein-after described, or any separate mine within such place or district, it shall be lawful for his Excellency the Governor, by writing under his hand and the Public Seal of the Colony, from time to

Rules and regulations to be issued under the Public Seal.

BRITISH
COLUMBIA.

time to make rules and regulations in the nature of byelaws concerning all matters relating to claims and ditch and water privileges, and leases of the auriferous lands in the Colony in larger quantities than the claims herein mentioned or referred to, and for the registration thereof so far as such matters are not herein defined and set forth.

And also from time to time in like manner to annul, repeal, or alter any existing rule, regulation, or byelaw; and to make new rules, regulations, and byelaws in reference to all or any of such matters. And all such rules, regulations, and byelaws shall continue in force until repealed by the Governor by some writing under the Public Seal of the Colony, or by some valid byelaw established by the Gold Commissioner and Mining Board of some district under the provisions herein-after contained.

Gold escort
deposit.

XIII. It shall be lawful for his Excellency the Governor, by a notification under the Public Seal of the Colony, to make provisions for the custody and carriage of gold at and from and between such points as may be thought proper, and to establish such rates of charge for the carriage and custody of gold as shall be deemed expedient, and in like manner to change and alter any or all of such provisions and charges.

Custody to be
on the same
footing as post
office letters.

XIV. The custody and care of all deposits, whether for custody or transport so undertaken by or on behalf of the Government, shall be under the like responsibility as that under which letters are received and carried by the Post Office. And in case of any loss or dispute concerning any such deposit the property in the same may in any proceedings or suits or actions at law be stated as being in the Colonial Treasurer for the time being. And all clerks and persons employed by or on behalf of the Government, or acting in the capacity of being so employed in reference to any such deposit, shall in case of neglect or misfeasance, be liable in the same manner as if they had been clerks or acting as clerks in the Post Office, *mutatis mutandis*.

Jurisdiction of
Gold Commis-
sioners.

XV. And as to the power and jurisdiction of and proceedings before a Gold Commissioner, I do hereby enact, proclaim, and declare as follows; viz.,

Every Gold Commissioner shall have and exercise during his term of office all the authority and jurisdiction of a Justice of the Peace for British Columbia, in addition to his proper authority as Gold Commissioner. Any claim, mine, ditch, or water privilege situate, as to part thereof, within the express limits of same Gold Commissioner's jurisdiction, and as to other part thereof not within the express limits of any Gold Commissioner's jurisdiction, shall be deemed to be wholly within the jurisdiction within which any part of such claim, mine, ditch, or water privilege shall be situated. In the case of any claim, mine, ditch, or water privilege situate at more than a distance of ten miles from the office or any Gold Commissioner, any Justice of the Peace for British Columbia, although not otherwise specially empowered to act as a Gold Commissioner, is hereby authorized, or as the case may be, required to do any act herein authorized or required to be done by a Gold Commissioner.

And wherever the ditch or other property in respect whereof any question may arise shall be situated partly in one district and partly in another, or when it shall be doubtful within whose jurisdiction the same or any part thereof shall be totally situated, any Gold Commissioner in the neighbourhood before whom the complaint or matter shall be first brought shall have jurisdiction. In every case in which a Justice of the Peace not being also a Gold Commissioner shall act as a Gold Commissioner under this clause, he shall with all convenient speed communicate the particulars of his acting to the Chief Gold Commissioner, and if there shall be no Chief Gold Commissioner, then to the nearest Gold Commissioner.

All mining dis-
putes may be
decided by the
Gold Commis-
sioner without
limit in value.

XVI. All disputes relating to the title to any mine or claim, or to any part of the proceeds thereof, or relating to any ditch or water privilege, or to any contract for labour to be done in respect of a ditch or water privilege, mine, or claim, or relating to the mode of carrying on the same, or any of them, and all disputes concerning partnerships in any mine or claim may be investigated, in the first instance, before the Gold Commissioner having jurisdiction as aforesaid, without any limit to the value of the property or subject-matter involved in such dispute.

Except in cases
of partnerships.

XVII. Provided always, that no Gold Commissioner shall have jurisdiction in civil disputes between partners, unless it shall, in the first place, be shown to his satisfaction that the joint stock of the partnership is under the value of 20*l*.

Appeal to the
Supreme Court
in B. C. in cri-
minal and sum-
mary cases.

XVIII. Any person convicted under this Proclamation of any offence against the same or any byelaw, rule, or regulation hereby authorized, and sentenced to any term of imprisonment beyond thirty days, or to pay any fine beyond 20*l*. over and above the costs of summary conviction, may appeal to the next assizes to be holden for the district or place wherein the cause of complaint shall have arisen, provided that such person, at the time of such conviction, or within forty-eight hours thereafter, enter into recognizance with two sufficient sureties, conditioned personally to appear at the said assizes to try such appeal, and to abide the further judgment of the Court at such assizes, and to pay such costs as shall be by such last-mentioned Court awarded. And the convicting Gold Commissioner may bind over any witnesses or informant, under sufficient recognizances, to attend and give evidence at the hearing of such appeal, and the costs of such witnesses shall be allowed and paid by the Colonial Treasurer in the first instance, and, if such appeal be dismissed, shall be repaid to the Colonial Treasurer by the appellant.

No merely for-
mal objections
allowed.

XIX. On any such appeal no objection shall be allowed to the conviction on any matter of form or insufficiency of statement, provided it shall appear to the said Supreme Court that the defendant has been sufficiently informed of the charge to be made against him, and that the conviction was proper on the merits of the case.

Appeal in civil
cases over 20*l*.

XX. If either party in any civil cause where the subject-matter in dispute is more than 20*l*. shall be dissatisfied with the determination, he may appeal from the same to the Supreme Court of Civil Justice in British Columbia, provided that the appealing party shall, within four days of the determination appealed from, give notice of such appeal to the other party, and also give security, to be approved by the Gold Commissioner, for the costs of the appeal, and also for the amount payable by the appealing party under the judgment appealed against. And the said Court of Appeal may either order a new trial on such terms as it shall think fit, or order judgment to be entered for either party, or try the cause *de novo*, and may make such order as to the costs of the appeal as such Court shall think proper, and such appeal may be in the form of a case settled and signed by the parties or their attorneys, and if they cannot agree,

the said Gold Commissioner may settle and sign the same upon being applied to by the parties or their attorneys.

XXI. In any case of any cause relating to a mine, claim, or ditch being brought in the first instance before the Supreme Court of Civil Justice of British Columbia, wherein the sum of damages sought to be recovered shall be less than 50*l.*, it shall be lawful for the Court, after issue joined, to direct the cause to be tried before any Gold Commissioner whom the Court shall name, and upon such terms as the Court shall think fit.

XXII. The Gold Commissioner alone without a jury shall be the sole judge of law and fact.

XXIII. The Gold Commissioner shall have the power to cause such parties and witnesses as he shall think proper to attend on any proceedings before him, and to compel the production of documents on any such proceedings.

XXIV. The Judge of the Supreme Court of Civil Justice shall, with the advice and consent of the Chief Gold Commissioner or of any two Gold Commissioners, have the power, from time to time, to make, repeal, and alter such rules and regulations for the conduct of the business before the Gold Commissioners for the times of proceeding, and also such lists of costs of proceedings as he shall think fit: Provided always, that all such rules, regulations, and lists of costs shall, within one calendar month from the making thereof, be laid before his Excellency the Governor.

And it shall not be necessary for the Gold Commissioner in any proceedings before him to follow any set forms, provided that the substance of the things done and to be done be therein expressed; nor shall any proceedings before any Gold Commissioner be liable to be set aside for any want of form, so long as matters of substance have not been omitted.

XXV. It shall be lawful for a Gold Commissioner in case of any dispute between partners in any claim, ditch, mine, or water privilege, where the joint or partnership stock shall be shown not to exceed the value of 200*l.*, but not in other cases, to decree a dissolution of partnership and a sale or valuation or division of the partnership stock, and to direct the partnership account to be taken before himself, and declare what amount, if any, is due on the whole account by one partner to another, and generally to make such order and give such directions therein as he shall think fit, and to take such steps (if any) as he may deem expedient in the way of taking security, or appointing a receiver or otherwise for securing the partnership property in the meantime.

XXVI. It shall be lawful for any Gold Commissioner, upon complaint made of any wrongful encroachment on a claim, mine, ditch, or water privilege, and deposit made of 2*l.* in his hands by the complainant, to proceed forthwith to the place at which such alleged encroachment has been made, and there and then to demand the like sum of 2*l.* from the party complained of, and thereafter, on view of the premises, and on such evidence as to such Gold Commissioner shall seem sufficient, to hear and determine the dispute in a summary way, and whether all parties in difference shall appear or not, and in a summary way to cause such encroachment to be abated, and to restore to the person who shall appear to be entitled thereto full possession of the claim, ditch, or other matter encroached upon, or alleged so to be, and also all gold or other property (if any) which may have been unlawfully taken or removed. And also to award such damages as the nature of the case shall seem to require. And if each party shall have deposited the said sum of 2*l.*, he shall restore the said sum of 2*l.* to the party whom he shall judge to have been in the right, and retain the other 2*l.* as and for costs of court, and if either party make default in appearance the Gold Commissioner may make such order as to costs as shall seem to him proper.

Provided always, that it shall be lawful for the Gold Commissioner, if in his discretion the matter shall not be made clear for a final determination, to take such steps as he shall then think necessary for the preservation of the matter in dispute, and to adjourn the final decision of the case until such time as he shall think proper.

XXVII. It shall be lawful for the Gold Commissioner to mark out for the use of any registered free miner in his district a space of land not exceeding five acres, to be occupied as garden ground or for a residence. The right conferred by such occupation shall only endure so long as the occupier shall be a registered free miner of the district, and for such further period as shall be requisite for the enjoyment of any crop standing thereon at the period when he shall cease to be a registered free miner.

And for attending and marking out such land, whatever be the size, the Gold Commissioner shall be entitled to demand the sum of ten shillings for the use of Her Majesty, Her heirs and successors.

XXVIII. It shall be lawful for the Gold Commissioner to mark out for the use of any person intending to carry on temporarily any trade on or near a mine, a plot or plots of waste Crown land convenient for that purpose, and also for garden purposes, not being larger than one acre. There shall be thereby conferred enjoyment for so long as such trader shall pay all licence duties in respect thereof, and also the right to any crop standing thereon at the last payment of licence duties.

Provided always, that the land on or near any mine so marked out for any of the purposes mentioned in this or the last section shall always be resumable by the Crown, and applicable to general mining purposes, on six months' notice thereof being given by the Gold Commissioner to any occupier thereof.

And as to mining boards, I do enact, proclaim, and declare as follows; viz.,

XXIX. Upon petition signed by not less than one hundred and one registered free miners in any district, having been on the register of such district for at least three months previous to signing such petition, and holding *bona fide* claims not abandoned nor forfeited, and upon a certificate from the Gold Commissioner of such district testifying to the number and good faith of the petitioners, it shall be lawful for his Excellency the Governor, by a notification under his hand and seal, to direct the Gold Commissioner acting in and for such district to constitute therein a local board, to be called "The Mining Board," in the manner and with the powers herein-after expressed.

XXX. The Mining Board shall consist of not less than six nor more than twelve of the general body of the voters of such district, according to the following scale, viz.; if there shall be not more than one hundred and fifty voters, then the Mining Board shall consist of six members; and for every complete number of fifty voters beyond the first one hundred and one, the Mining Board shall comprise one additional member, but not so as to consist of more than twelve members.

Cases under 50*l.* may be referred to the Gold Commissioner.

Gold Commissioner to be judge of law and fact.

Power to summon witnesses.

Forms of proceedings, costs, &c.

Jurisdiction as to mining partnerships

Summary power to abate encroachments, &c.

Costs.

Gardens, &c for free miners, not more than five acres.

Plots for traders, not more than one acre.

Mining Boards. Constitution of.

Six to twelve members, according to the number of registered free miners.

BRITISH
COLUMBIA.

Voter's qualification.

Gold Commissioner to be returning officer, &c.

Vacancy of membership.

Three to retire annually.

Elections to take place in January.

Power to make bylaws, &c., which must be approved by the Governor.

Evidence.

Majorities.

Mode of conducting proceedings.

Power to the Governor to dissolve any mining board.

Interim acts to continue notwithstanding dissolution.

Irregularities not to affect such Acts.

Certain offences.
Felony.

Summary power in cases of disobedience.

Short title.

The members shall be elected by the votes of the registered free miners of the district who shall have been on the register during three months at the least previous to the election, each voter to have as many votes, and no more, as there are members of the board to be elected or vacancies to be filled up, which he may distribute among the candidates as he may think fit.

XXXI. The votes of the electors shall be given by word of mouth, and in person, by the voter. The Gold Commissioner of the district shall be the receiver and examiner of votes, and the returning officer; and the first election shall take place on such day as his Excellency the Governor may appoint.

The Mining Board shall meet together at such intervals as shall be appointed by the Gold Commissioner, and it shall be competent for three or more members meeting together to proceed to the dispatch of business.

XXXII. If any member shall cease to be a registered free miner in the district, or shall be convicted of any misdemeanor or felony, or of any assault, being armed with a lethal weapon, or of any wilful and malicious contravention of this Act, or of any bylaw in force in the district, he shall ipso facto vacate his seat in each case, and not be re-eligible, save that a member vacating his seat only by reason of ceasing to be a registered free miner shall be again eligible at any time upon his again becoming entitled to vote.

Three members of the Board, or so many members as, together with the vacancies caused as aforesaid, shall make up three members, shall retire annually, by lot, or agreement, or seniority. Retiring members shall be immediately re-eligible.

XXXIII. All vacancies in the Board shall be supplied, and the full number of members for the time being due to the district according to the tariff aforesaid, shall be made up at a general election, to take place on such day in the month of January in each year as his Excellency the Governor shall from time to time, by notice under the Public Seal of the Colony, direct.

XXXIV. The Mining Board shall, subject to the provisions hereof, have power by resolution to make bylaws, and also from time to time to alter and repeal any existing bylaws for regulating the size of claims and sluices, the mode in which claims may be registered, worked, held, and forfeited, and all other matters relating to mining matters in their district: Provided that no such new bylaw, repeal, or alteration shall be of any force unless and until it shall have been approved of by his Excellency the Governor.

Provided further, that every such bylaw, repeal, or alteration, being duly made and approved, and not being contrary to the Statute or Common Law, and not being contrary to natural equity, shall be admitted in all Courts of British Columbia as a good local law, and a copy thereof extracted from the bye-laws, and purporting to be signed by the Gold Commissioner of the district, shall be good evidence thereof, and that the same have been lawfully made and were in full force at the time in such copy or extract in that behalf specified.

XXXV. Any resolution of such Mining Board and Gold Commissioner may be passed by a bare majority of the members of such Board, if the Gold Commissioner shall consent thereto, or by two-thirds of the members of such Board if the Gold Commissioner shall not consent thereto. The Gold Commissioner shall, within seven days of the passing of any resolution concerning any bylaw or general regulation which he shall on any grounds deem expedient to lay before his Excellency the Governor, make and send to his Excellency a fair copy thereof, signed by such Gold Commissioner, with his opinion thereon.

XXXVI. The votes on all resolutions of the Mining Board shall be given by the members personally, and by word of mouth.

All questions of order and of the time and manner of conducting the business at such Mining Board, and of the times and places of meeting after the first meeting thereof, and of the propriety of elections and qualifications and disqualifications of members subject hereto, may be decided by the Gold Commissioner, either from time to time, as any question shall arise, or by any fixed rules and orders as may be thought advisable, and which such Gold Commissioner is hereby authorized to make by writing under his hand and seal.

XXXVII. It shall be lawful for his Excellency the Governor, by an order the Public Seal of the Colony, at any time to declare the Mining Board in any district dissolved, as from a day to be named in such order, and if no day be therein named in that behalf, then as from the date of such order. And from and immediately after such dissolution the power to make and repeal bylaws, rules, and regulations shall immediately be vested in the Governor, in the same manner as if such Mining Board had never been constituted.

Provided always, that notwithstanding any such dissolution all bye-laws and working rules and regulations (if any), and all other acts (if any) made, done, and established in the meantime, under the authority of this Proclamation, shall be valid until the same be altered or repealed by the Governor by some order under the Public Seal of the Colony.

XXXVIII. The acts of any Mining Board previous to such dissolution, if sanctioned as aforesaid, shall be valid, notwithstanding any informality or irregularity in the mode of election, or of meeting of such Mining Board, or in the passing of any of such Acts.

XXXIX. Any person who shall wilfully and maliciously damage or destroy any free miner's certificate, or fraudulently fill up, or post date, or alter any name or date or other particular in a free miner's certificate, or in any document purporting to be a free miner's certificate, or who shall falsely pretend that he is the person named in any such certificate or document, or who shall wilfully and maliciously damage, destroy, or falsify any of the records and registers hereby directed to be kept, shall be guilty of felony, and being duly convicted thereof shall be liable, at the discretion of the court, to penal servitude for not more than ten years.

XL. Any person wilfully or unlawfully acting in contravention of this Act, or of any bylaw, rule, or regulation to be established by virtue of this Act, or refusing to obey any lawful order of the Gold Commissioner, shall, on being summarily convicted before any Justice of the Peace or Gold Commissioner, be liable to a fine not exceeding 50*l.*, or to an imprisonment not exceeding three months.

XLI. This Proclamation may in any proceedings be referred to as the "Gold Field Acts, 1859."

XLII. This Proclamation shall come into force as to Queen Charlotte's Island on the 1st of January 1860, and as to the rest of British Columbia on the 1st of September 1859.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this Thirty-first day of August, in the year of our Lord one thousand eight hundred and fifty-nine, in the Twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

BRITISH
COLUMBIA
Commence-
ment of Act.

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Enclosure 8 in No. 25.

Encl. 8 in
No. 25.

RULES and REGULATIONS for the Working of Gold Mines.

Issued in conformity with the Gold Fields Act, 1859.

WHEREAS it is provided by the Gold Fields Act, 1859, that the Governor for the time being of British Columbia may, by writing under his hand and the Public Seal of the Colony, make rules and regulations in the nature of byelaws for all matters relating to mining: Now, therefore, I, James Douglas, Governor, &c., do hereby make the following rules and regulations accordingly:

I. In the construction of the following rules and regulations, unless there be some contrariety or repugnancy thereto in the context, the words "Governor," "Gold Commissioner," "Mine," "to mine," shall have the same meanings as in the Gold Fields Act, 1859. The expression "Bar diggings" shall mean every mine over which a river extends when in its most flooded state. "Dry diggings" shall mean any mine over which a river never extends. "Ravines" shall include watercourses whether usually containing water or usually dry. "Ditch" shall include a flume or race, or other artificial means for conducting water by its own weight into or upon a mine. "Ditch head" shall mean the point in a natural watercourse or lake, where water is first taken into a ditch. And words in the singular number shall include the plural, and the masculine gender shall include the feminine.

II. All claims are to be, as nearly as may be, in rectangular forms, and marked by four pegs at the least, each peg to be four inches square at the least and one foot above the surface, and firmly fixed in the ground. No boundary peg shall be concealed or moved or injured without the previous permission of the Gold Commissioner.

III. The size of a claim, when not otherwise established by a byelaw, shall be, for bar diggings, a strip of land 25 feet wide at the mark to which the river rises when flooded, and thence extending down direct into the river indefinitely. For dry diggings, a space 25 feet by 30 feet. For ravine diggings, a space of 25 feet along the bank of the ravine and extending up to the top of each bank. In quartz claims the size, when not otherwise established by byelaw, shall be 100 feet in length, measured along the vein or seam, with power to the miner to follow the vein or seam and its spurs, dips, and angles, anywhere on or below the surface included between the two extremities of such length of 100 feet, but not to advance upon or beneath the surface of the earth more than 100 feet in a lateral direction from the main vein or seam, along which the claim is to be measured. All measurements of area are to be made on the surface of the earth, neglecting inequalities. Every claim is to have a distinguishing number marked on its boundary pegs.

IV. If any free miners, or party of free miners, shall discover a new mine, and such discovery shall be established to the satisfaction of the Gold Commissioner, the first discoverer or party of discoverers, if not more than two in number, shall be entitled to a claim double the established size of claims in the nearest mine of the same description (*i.e.* dry, bar, or quartz diggings). If such party consist of three men, they shall collectively be entitled to five claims of the established size, on such nearest mine, and if of four or more men, such party shall be entitled to a claim and a half per man. A new stratum of auriferous earth or rock, situate in a locality where the claims are abandoned, shall for this purpose be deemed a new mine, although the same locality shall previously have been worked at a different level. And dry diggings discovered in the neighbourhood of bar diggings shall be deemed a new mine, and *vice versa*.

V. The registration of claims shall be in such manner and form as the Gold Commissioner shall in any locality direct, and shall include, besides the matters mentioned in the Gold Fields Act of 1859, all such other matters as the Gold Commissioner shall think fit to include.

VI. No transfer of any claim or any interest therein shall be enforceable, unless the same or some memorandum thereof shall be in writing, signed by the party sought to be charged, or by his lawfully authorized agent, and registered with the Gold Commissioner.

VII. Any person desiring any exclusive ditch or water privilege shall make application to the Gold Commissioner having jurisdiction for the place where the same shall be situated, stating for the guidance of the Commissioner, in estimating the character of the application, the name of every applicant, the proposed ditch head and quantity of water, the proposed locality of distribution, and if such water shall be for sale, the price at which it is proposed to sell the same, the general nature of the work to be done, and the time within which such work shall be complete; and the Gold Commissioner shall enter a note of all such matters as of record.

VIII. Unless otherwise specially arranged, the rent to be paid for any water privilege shall be in each month one average day's receipts from the sale thereof, to be estimated by the Gold Commissioner with the assistance, if he shall so think fit, of a jury.

IX. If any person shall refuse or neglect to take within the time mentioned in his application, or

BRITISH
COLUMBIA.

within such further time (if any) as the Gold Commissioner may, in his discretion, think fit to grant for the completion of the ditch the whole of the water applied for, he shall, at the end of the time mentioned in his application, be deemed entitled only to the quantity actually taken by him, and the Gold Commissioner shall make such entry in the register as shall be proper to mark such alteration in the quantity, and may grant the surplus to any other person according to the rules herein laid down for the granting of water privileges.

X. Every owner of a ditch or water privilege shall be bound to take all reasonable means for utilizing the water granted to and taken by him. And if any such owner shall wilfully take and waste any unreasonable quantity of water, he shall be charged with the full rent as if he had sold the same at a full price. And it shall be lawful for the Gold Commissioner, if such offence be persisted in, to declare all rights to the water forfeited.

XI. It shall be lawful for the owner of any ditch or water privilege to sell and distribute the water conveyed by him to such persons, and on such terms as they may deem advisable, within the limits mentioned in their application: Provided always, that the owner of any ditch or water privilege shall be bound to supply water to all applicants, being free miners, in a fair proportion, and shall not demand more from one person than from another, except when the difficulty of supply is enhanced; provided further, that no person, not being a free miner, shall be entitled to demand to be supplied with water at all.

XII. A claim on any mine shall, until otherwise ordered by some valid byelaw, be deemed to be abandoned, and open to the occupation of any free miner, when the same shall have remained unworked by some registered holder thereof for the space of seventy-two hours, unless in case of sickness, or unless before the expiry of such seventy-two hours a further extension of time be granted by the Gold Commissioner, who may grant further time for enabling parties to go prospecting, or for such other reasonable cause as he may think proper. Sundays, and such holidays as the Gold Commissioner may think fit to proclaim, are to be omitted in reckoning the time of non-working.

XIII. Whenever it shall be intended, in forming or upholding any ditch, to enter upon and to occupy any part of a registered claim, or to dig or loosen any earth or rock within [4] feet of any ditch not belonging solely to the registered owner of such claim, three days' notice in writing of such intention, shall be given, before entering or approaching within four feet of such other property.

XIV. If the owner of the property about to be so entered upon or approached shall consider three days' notice insufficient for taking proper measures of precaution, or if any dispute shall arise between the parties as to the proper precautionary measures to be taken, or in any other respect, the whole matter shall be immediately referred to the Gold Commissioner acting in the district, who shall order such interval of time to be observed before entry, or make such other order as he shall deem proper.

XV. In quartz claims and reefs each successive claimant shall leave three feet unworked to form a boundary wall between his claim and that of the last previous claimant, and shall stake off his claim accordingly, not commencing at the boundary peg of the last previous claim, but three feet further on; and if any person shall stake out his claim disregarding this rule, the Gold Commissioner shall have power to come and remove the first boundary peg of such wrongdoer three feet further on, notwithstanding that other claims may then be properly staked out beyond him: so that such wrongdoer shall then have but ninety-seven feet. And if such wrongdoer shall have commenced work immediately at the boundary peg of the last previous claim, the Gold Commissioner may remove his boundary six feet further on than the open work of such wrongdoer; and all such open work, and also the next three feet of such space of six feet shall belong to and form part of the last previous claim, and the residue of such space of six feet shall be left as a boundary wall.

XVI. Every such boundary wall shall be deemed the joint property of the owners of the two claims between which it stands, and may not be worked or injured, save by the consent of both such owners.

XVII. In staking out plots of land for free miners and traders for gardening and residential purposes, under the powers in the said Gold Fields Act, 1859, contained, the Gold Commissioner is to keep in view the general interests of all the miners in that locality, the general principle being that every garden benefits indirectly the whole locality, and also that the earlier application is to be preferred; but where the eligible spots of land are few, or of scanty dimensions, and especially where they are themselves auriferous, it may be injudicious that the whole or the greater part should fall into the hands of one or two persons; and therefore, in such cases, the Gold Commissioner may, in the exercise of his discretion, allot small plots only to each applicant.

XVIII. Any person desiring to acquire any water privilege shall be bound to respect the rights of parties using the same water, at a point below the place where the person desiring such new privilege intends to use it.

XIX. Any person desiring to bridge across any stream or claim or other place for any purpose, or to mine under or through any ditch or flume, or to carry water through or over any land already occupied by any other person, may be enabled to do so in proper cases, with the sanction of the Gold Commissioner. In all such cases the right of the party first in possession, whether of the mine or the water privilege, is to prevail, so as to entitle him to full compensation and indemnity. But wherever due compensation by indemnity can be given, and is required, the Gold Commissioner may sanction the execution of such new work on such terms as he shall think reasonable.

AS TO LEASES IN LARGER PROPORTIONS THAN CLAIMS.

XX. Applications for leases are to be sent in triplicate to the Gold Commissioner having jurisdiction for the locality where the land desired to be taken is situated. Every such application shall contain the name and additions of the applicant at full length, and the names and addresses of two persons residing in the colony of British Columbia or Vancouver Island, to whom the applicant is personally known. Also a description accompanied by a map of the land proposed to be taken.

XXI. Leases will not be granted in general for a longer term than ten years, or for a larger space than ten acres of alluvial soil (dry diggings), or half a mile in length of unworked quartz reef, or a mile

and a half in length of quartz, that shall have been attempted and abandoned by individual claim workers, with liberty to follow the spurs, dips, and angles on and within the surface, for two hundred feet on each side of the main lead or seam, or, in bar diggings half a mile in length (if unworked) along the high-water mark, or a mile and a half in length along high-water mark, where the same shall have been attempted and abandoned by individual claim workers.

XXII. Leases as above will not in general be granted of any land, alluvium, or quartz, which shall be considered to be immediately available for being worked by free miners as holders of individual claims. Nor will such a lease in any case be granted where individual free miners are in previous actual occupation of any part of the premises unless by their consent.

XXIII. Every such lease shall contain all reasonable provisions for securing to the public rights of way and water, save in so far as shall be necessary for the miner-like working of the premises thereby demised, and also for preventing damage to the persons or property of other parties than the lessee. And the premises thereby demised shall be granted for mining purposes only, and it shall not be competent for the lessee to assign or sub-let the same, or any part or parts thereof, without the previous licence in writing of the Gold Commissioner. And every such lease shall contain a covenant by the lessee to mine the said premises in a miner-like way, and also, if it shall be thought fit, to perform the works therein defined within a time therein limited. And also a clause by virtue whereof the said lease and the demise therein contained may be avoided in case the lessee shall refuse or neglect to observe and perform all or any of the covenants therein contained.

XXIV. Every applicant for a lease shall at the time of sending in his application mark out the ground comprised in the application, by square posts firmly fixed in the boundaries of the land, and four feet above the surface, with a notice thereon that such land has been applied for, stating when and by whom, and shall also fix upon a similar post at each of the nearest places on which miners are at work a copy of such notice.

XXV. Objections to the granting of any such lease shall be made in writing, addressed to his Excellency the Governor, under cover to the Gold Commissioner, who shall forward all such objections, together with his report thereon.

XXVI. Every application for a lease shall be accompanied by a deposit of twenty-five pounds sterling, which shall be refunded in case the application shall be refused by the Government, and if the application shall be entertained, then such sum of twenty-five pounds shall be retained for the use of Her Majesty, Her heirs and successors, whether the application be afterwards abandoned or not.

Issued under the Public Seal of the colony of British Columbia, at Victoria, Vancouver Island, this Seventh day of September, in the year of our Lord One thousand eight hundred and fifty-nine, and in the Twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency,
WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

No. 26.

COPY of DESPATCH from Governor DOUGLAS, C.B. to his Grace the
DUKE OF NEWCASTLE.

No. 26.

(No. 224.)
MY LORD DUKE,

Victoria, Vancouver's Island, October 18, 1859.

(Received December 19, 1859.)

SINCE I have had last the honour of addressing your Grace, on the 18th of September, I have been engaged in making an official tour in British Columbia, in the course of which I visited the towns of New Westminster, Langley, Douglas, Fort Hope and Yale, travelled through the passes of Fraser's River to Spuzzem, and inspected all the mining districts west of that place.

2. In my progress through the country I have had opportunities of conversing familiarly with the people; of ascertaining, by personal intercourse, their wants and views, their real and fancied grievances, and of studying practically the best means of promoting the settlement and permanent interests of the colony.

3. I more especially directed my inquiries into the working of the "Gold Fields Act," which came into operation in the month of August last, and was much gratified to find that the Act had been received with satisfaction, and met the approval of the mining population of the colony.

4. It has, however, some objectionable features which will require amendment. The small size of the bar and bank claims prescribed by the Act, the former limited to 25 feet frontage on the banks of great rivers, and the latter to a space of 25 by 30 feet, was perhaps the most general, and almost the only serious, objection made to it; and it must be admitted that the objection applies with great force to ground which has already been worked over, and to places where the pay-streak is thin and deeply covered with soil, which the miner has to remove, at a great expense, before the gold can be obtained.

5. There was a general feeling last year among the miners in favour of the minute subdivision of the mining ground into distinct claims; but that feeling no doubt arose from the greater number of miners in the field, the limited extent of the then known auriferous districts, and the natural desire of each to possess a separate mining claim.

The revenue is so largely benefited by that subdivision, as each mining claim is required to pay an annual charge of 1*l.* sterling into the Colonial Exchequer, that the principle was without hesitation, and for that reason only, adopted in the "Gold Fields Act."

6. In constructing that Act it was foreseen that no mining law, however comprehensive, could be made applicable to the wants and circumstances of an extensive country like British Columbia, and the expedient was therefore resorted to of providing for the establishment of elective mining boards in every district, with power to frame bye laws regulating the size of claims, and otherwise of adapting the provisions of the General Act to the particular circumstances of each mining district.

7. Until the mining boards are constituted the Assistant Gold Commissioners are empowered to grant relief in all cases of real hardship, or whenever the public or the interests of individual miners may be endangered through the rigid enforcement of the Act; and it was also decided that in certain cases where miners have incurred much preliminary outlay on account of their claims, that the same person may be allowed to hold more than one mining claim, under a lease from the Crown, and at a rental equal to the revenue accruing to the colony from an equal number of mining claims held by different persons; an arrangement which gave general satisfaction, and will, I have no doubt, remove all cause of complaint in respect to the extent of mining claims.

8. I met, in the course of my journey, with roving miners from every part of British Columbia, and ascertained from them many interesting facts connected with the gold districts. Last year an impression was generally entertained by the miners that the gold deposits had been made by Fraser's River, and that the gold was brought down by the stream from a source existing somewhere in the main range of the Rocky Mountains; they have since discovered that not only the bed, but also the higher banks of the Fraser, which rise terrace-like, one above the other, as they recede towards the hills on either side, are composed of auriferous earth and beds of water-worn gravel; a circumstance that has led them, not illogically, to the conclusion that the river occupied at some former period a much higher level than its present bed, and that the water has been drained off by its gradual deepening, through the natural process of attrition or by volcanic agency.

9. Alluvial diggings of extraordinary value have been discovered on Quesnel River, a tributary which flows into the Fraser about 50 miles beyond Alexandria. Some adventurous miners have ascended this stream as far as the lake of the same name from which it rises, and have been rewarded with rich strikes, as much, it is reported, as 40*l.* a day having been made to the hand; but instances of such good fortune are uncommon. One circumstance, however, which deserves to be recorded, and which is established almost beyond a doubt, through the concurring testimony of the miners who have seen the country, is the fact that the channels of Fraser's River, to a distance of 150 miles beyond Fort George, the extreme point to which they have been yet prospected, are found to be auriferous, yielding on every bar from 20*s.* to 25*s.* a day to the hand.

10. I fell in with three persons who left St. Paul's, Minnesota, some time last year; they passed the winter in the Rocky Mountains, continued their journey westward in the spring, and struck the south branch of Fraser's River near "Tête Jaune's Cache." They saw many veins of quartz on the western slopes of the mountains, and beds of reddish earth, which in California are considered a sure indication of the presence of gold; they prospected the banks of the South Fraser as they dropped down the stream in a rudely formed canoe, and were nowhere disappointed in finding gold in highly remunerative quantities.

11. The district between Yale and Lytton abounds in rich bank and bar diggings. Mr. Mc'Gill, a respectable merchant residing at Fort Yale, assured me that he once saw 71 ounces of gold dust taken out of one mining claim at Boston Bar by three men in 24 hours, and that the same claim yielded regularly from 48 to 50 ounces of gold a day for about four weeks, when the holders were driven out by a sudden rise in the river, the claim being only accessible at extreme low water for about four weeks in the year.

12. The miners also report the presence of gold in the various little streams between Pavillon and Alexandria, and, in short, believe that there is gold in almost every part of the country.

13. Two veins of gold-bearing quartz were discovered by a party of Cornish miners near Fort Hope, during the time I remained at that place, and the discoverers, who entertain sanguine hopes of success, intend to work them as rapidly as their scanty means will permit.

14. The district between Hope and Yale is not so populous as last year, the present mining population consisting of about 600 persons. The washing is now principally done

by sluicing, which requires fewer men and does much more work than the process of hand-washing. A large amount of capital is invested in ditches, which carry supplies of water for sluicing to every mining bar in this district; the miners, whose operations were previously confined to the bed of Fraser's River, are thus enabled to widen their field of labour by pushing shafts and other mining works into the banks far above the highest water levels of the river. One of those ditches is five miles long, and runs through ground replete with engineering difficulties, which have been overcome with a degree of skill and dexterity, and with a paucity of means, that excites a feeling of admiration at the practical talent and daring enterprise displayed in its construction.

15. When the gold-lead, or pay-streak, is deeply seated, the amount of labour which has to be executed is something almost incredible; the whole of the surface earth, often 25 feet in depth, with its covering of brush and forest trees of enormous size, having to be removed before the treasure can be grasped.

16. There exist extensive dry diggings from Yale upwards towards the Fountain, which for want of water have not been made available for mining; but it is believed that the neighbouring mountains contain abundant sources from whence supplies of water may be brought in; and every inducement will be offered to persons desirous of embarking capital in enterprises of so much public utility, and which are indispensable in the development of the gold fields.

17. The mining population of the district extending from Yale to the Fountain is supposed to exceed 800 men, and about 1,000 men are engaged in the same pursuits between Alexandria, Fort George and Quesnel's River; it is, however, supposed that the miners in the latter district will be compelled by the severity of the weather to abandon it in winter, the cold being then intense, often 20 degrees below zero (Fahrenheit), the rivers frozen, and the ground invariably covered with snow in the months between November and March. Surface mining is therefore impossible at that season, and the miner has no inducement to remain, and possibly has not means enough to purchase a supply of food to keep him until the return of the mining season. Those remarks on the climate apply exclusively to the upper districts of Fraser's River, and not to the country below Alexandria, which enjoys a comparatively mild, dry, and pleasant climate.

18. The value of the present gold exports from British Columbia is estimated at 14,000*l.* a month, or 168,000*l.* per annum; but this estimate does not include the large amount of gold dust remaining in the hands of the miners, nor give a just idea of the whole quantity produced, which no doubt far exceeds the value herein stated.

19. The entire white population of British Columbia does not probably exceed 5,000 men, there being, with the exception of a few families, neither wives nor children to refine and soften, by their presence, the dreariness and asperity of existence.

20. A very marked improvement has taken place since my last visit in the towns of Yale, Douglas, and Hope; the buildings, though entirely of wood, being well and neatly constructed, and it was even more gratifying to observe the growing respectability and quiet orderly deportment of the resident population.

21. In each of those places as well as at New Westminster and Derby, Divine Service is regularly performed by resident clergymen; and the almost total absence of crime shows how usefully and extensively their influence is felt.

22. No schools have been as yet established in the colony; but my attention will be given to the subject of education, and provision made for elementary schools, whenever the wants of the country render them necessary.

23. These facts, carefully selected from the mass of material collected during my late excursion will convey to your Grace an idea of the present social and industrial condition of the colony of British Columbia; and I will now proceed to the notice of other matters of no less importance.

24. The colony is yet destitute of one highly important element, it has no farming class, the population being almost entirely composed of miners and merchants. The attention of Government has been very anxiously directed to the means of providing for that want by the encouragement of agricultural settlers, a class which must eventually form the basis of the population, cultivate and improve the face of the country, and render it a fit habitation for civilized man. The miner is at best a producer, and leaves no traces but those of desolation behind; the merchant is allured by the hope of gain; but the durable prosperity and substantial wealth of states is no doubt derived from the cultivation of the soil. Without the farmer's aid, British Columbia must for ever remain a desert, be drained of its wealth, and dependent on other countries for daily food.

25. The colony has not proved attractive to agricultural settlers. The surveyed country land was all put up to public sale at New Westminster on the 5th and 6th of the present month (October), when four lots only were sold, none of which realized more than the upset price of 10s. an acre, as there was no competition and few purchasers.

26. At Douglas and Hope, various applications were made to me for rural land, by persons who had taken a fancy to the country, and in some instances, made valuable improvements. They asked to be secured in the ownership of any land they might improve, at the upset price of 10s. an acre; and that it should not be exposed to public sale, with a value enhanced by their own labour and outlay, as in that case they would either have to purchase their own improvements or see their property pass into other hands.

27. There was nothing unreasonable in their proposal, and as meeting their views would, I felt assured, have the effect of promoting the settlement of the country; I had every wish to do so, but there was a difficulty in accomplishing the object, for the reason that no country land had been surveyed in those districts, nor could surveys be completed before next year, when the petitioners would probably all have left the colony in disgust. I therefore had recourse to an expedient which fully met the case, without sacrifice to the Government, and to the perfect satisfaction of the public, by issuing a circular addressed to the Assistant Commissioners of Crown lands at Hope, Yale, Douglas, Lytton, and Cayoosh, directing them to permit all persons being at the time British subjects, and all persons who have recorded their intention of becoming British subjects, to hold tracts of unsurveyed Crown land, not being town sites, nor sites of Indian villages, and not exceeding 160 acres in extent, with a guarantee that the same would be fully conveyed to the holder when the land is surveyed, at a price not to exceed 10s. an acre.

28. This is in fact the basis of a pre-emption law founded on occupation and improvement, the Government agreeing on those conditions to convey the land at a fixed price; it being moreover provided that the rights of actual settlers, of those persons only who are found in possession when the land is surveyed will be recognized and allowed. Persons wishing to acquire larger tracts will be required to pay a deposit of 5s. per acre on all land over 160 acres pre-empted for their benefit; a condition intended to serve as a protection to *bonâ fide* settlers, and to prevent speculators from preying on the public, and defeating the proposed object of encouraging the settlement of the country.

29. If that plan should fail in attracting a population I think it will be advisable to resort to the Canadian system of making free grants not exceeding 100 acres of rural land to actual settlers, on condition of their making certain specified improvements.

30. The great object of opening roads from the sea coast into the interior of the country, and from New Westminster to Burrard's Inlet and Pitt River, continues to claim a large share of my attention. The labour involved by these works is enormous; but so essential are they as a means of settling and developing the resources of the country, that their importance can hardly be overrated; and I therefore feel it incumbent on me to strain every nerve in forwarding the progress of undertakings so manifestly conducive to the prosperity of the colony, and which at the same time cannot fail ere long to produce a large increase in the public revenue.

31. We hope to complete the last section of a pack-road leading by the left bank of the Fraser, from Derby to Lytton, a distance of 170 miles, on or before the 1st day of February next. From Lytton a natural pack-road now exists leading to Red River settlement, by the Coutannais Pass, through the Rocky Mountains, and from thence following the valley of the Saskatchewan, chiefly over an open prairie country of great beauty, and replete with objects of interest to the tourist and the sportsman; a settler may then take his departure from Red River in spring with his cattle and stock, and reach British Columbia by that road in course of the autumn following. This is no mere theory, the experiment having been repeatedly made by parties of Red River people travelling to Colville, from whence there is a good road to Lytton; so much so, indeed, that one of those persons assured me that the whole distance from Lytton to Red River, with the exception of the Coutannais Pass, which is thickly wooded, may be safely travelled with carts. If the Canadian Government would undertake to open a road from Red River to the borders of Lake Superior, which really presents no very formidable difficulties, the connexion between British Columbia and Canada would be complete, and the whole distance might I think, be travelled on British soil.

32. The declared value of British Columbia imports for the quarter ending with the 30th day of September last is 207,848 dollars; and the customs receipts for the same period, amount to 5,202*l.* against 4,242*l.* for the preceding quarter, showing an increase on the latter of 960*l.* A large sum has also been derived from sales of town land, licences

and other sources of revenue, but those returns not having been received must be reserved for a future communication.

Trusting that these details may not prove unacceptable,

His Grace the Duke of Newcastle, &c. &c. &c. (Signed) I have, &c. JAMES DOUGLAS, Governor.

BRITISH
COLUMBIA.

No. 27.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the DUKE of NEWCASTLE.

No. 27.

(No. 231.)

Victoria, Vancouver's Island, November 10, 1859.

(Received January 27, 1860.)

(Answered No. 9, February 18, 1860, p. 108.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of Sir Edward Bulwer Lytton's Despatch No. 62,* of the 7th May, on the subject of the disposal of Crown lands in British Columbia.

2. In my Despatch No. 156,† of the 23rd May, replying to Sir Edward Bulwer Lytton's Despatch No. 16‡, of the 7th February, I stated my full concurrence in regard to the advantages attending the system of prompt payment for land, and we shall, if practicable, without retarding the settlement of the country, introduce the practice into British Columbia.

3. With reference to the reservation of lots at New Westminster for sale in the United Kingdom and the British Colonies, which is discussed in the same Despatch No. 62, I would remark for your Grace's information that it was made with the view of meeting the demand anticipated by the large emigration expected this year from Great Britain and her colonies, and which it was feared might otherwise be deprived of the chance of obtaining lots at New Westminster.

4. It was, however, never intended, nor have we empowered any agents to sell, specific lots either in the United Kingdom or the colonies, otherwise such powers should be recalled, agreeably to the instructions received on this matter.

His Grace the Duke of Newcastle, &c. &c. &c. (Signed) I have, &c. JAMES DOUGLAS, Governor.

* Vide papers presented Aug. 1859, p. 86.
† Page 12.
‡ Vide papers presented Aug. 1859, p. 78.

No. 28.

COPY of DESTATCH from Governor DOUGLAS, C.B., to his Grace the DUKE of NEWCASTLE.

No. 28.

(No. 234.)

Victoria, Vancouver's Island, November 16, 1859.

(Received January 27, 1860.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Despatch No. 13* of August 1859, upon the subject of the postal communication with the colonies of British Columbia and Vancouver's Island.

2. I regret to learn from this Despatch that Her Majesty's Government have decided that the advantages which would be derived by these colonies in the establishment of a direct mail service between San Francisco and British Columbia would not prove equivalent to the large amount of subsidy required for carrying out the undertaking, and that the same reason has precluded the Government from entertaining the proposal for a direct route via Canada and Hudson's Bay Company's territory.

3. I observe that hereafter the correspondence for these colonies will be transmitted in closed mails to Her Majesty's Consul at San Francisco who is to forward them by the first opportunity to their destination, and further that your Grace instructs me to endeavour to secure the improvements in the existing mail service which I pointed out as desirable in my Despatch of 5th November 1858.

4. Those improvements pointed chiefly to the establishment of a direct line between this and San Francisco, and I understand your Grace's present instructions as requiring me to ascertain whether such improvements can be obtained under existing circumstances by combination with present arrangements.

5. Heretofore the United States mail steamers were under the obligation of conveying the letters for Vancouver's Island and British Columbia, if properly directed, to Puget

BRITISH
COLUMBIA.

Sound; and, before those steamers touched at Victoria, we received the mail from Puget Sound by any chance opportunity that offered. Since however the gold discoveries in British Columbia, the United States mail steamers have found it to their advantage to call regularly at Victoria, and, through the civility of the post-office authorities in San Francisco, a separate mail bag for Victoria has always been made up and forwarded. The same will probably continue to be the case under the arrangement of sending the closed bags to the Consul at San Francisco, except that the conveyance of the mail to these waters will then become a matter of favour; but I scarcely anticipate any delay, for both the post-office authorities and the officers of the mail steamers are invariably most accommodating and attentive.

6. But under this system your Grace will at once perceive how entirely dependent we are upon United States resources, and subject to the courtesy of United States officials for the receipt of our mails, and that it is in their power at any moment entirely to stop the communication. Another serious inconvenience also attaches to the present system, and that is the almost utter impracticability of replying to correspondence by the same mail; for the steamer arrives at uncertain periods, and generally does not remain more than two hours, so that it frequently happens that the mail is actually not delivered until after she has left the port.

7. For some months past, until very recently, a British screw steam vessel, the "Foxwood," was put upon the line between Victoria and San Francisco, and her owners were very desirous of obtaining the mail contract, for with that prestige and certainty there would have been ample inducement for her continuance. Application was made to me on the subject, but I could only mention the arrangement Her Majesty's Government purposed making in England. The "Foxwood" has I regret to say recently been withdrawn, not being able to compete with the monopoly of the Pacific Mail Steam Ship Company. I learn, however, she is still at San Francisco unemployed, and I am inclined to think that but a trifling inducement would bring her upon the line again, which is much to be desired for many reasons. I have, therefore, carrying out what I believe to be the desire of your Grace, requested the agents of the "Foxwood" to make me an offer of the rate at which they would undertake to perform the mail service between this place and San Francisco; and so soon as a reply is received I will forward it for the consideration of your Grace.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 29.

No. 29.

COPY of DESPATCH from Governor DOUGLAS to his Grace the DUKE of NEWCASTLE.

(No. 235.)

Victoria, Vancouver's Island, November 21, 1859.

MY LORD DUKE,

(Received January 27, 1860.)

I HAVE the honour to forward for your Grace's information the copy of a report which I lately received from Mr. William Downie, the same enterprising person who last winter furnished a report, also forwarded with my Despatch No. 123* of the 25th of March last, on Jarvis Inlet.

* Vide Papers
presented Aug.
1859, p. 70.

2. The report now transmitted relates to the unsuccessful result of the attempt made in the month of July last, by a body of miners from this place, to explore Queen Charlotte's Island.

3. The adventurers, dismayed by the rugged aspect of the country, the humidity of the climate, and the numbers and formidable appearance of the native tribes, did not prosecute the enterprise with resolution or tenacity, and soon returned to this place, with the exception of a few daring spirits, who accompanied Mr. Downie to Fort Simpson, and there made arrangements to explore the course of Skeena River, which flows into the sea at Port Essington, North latitude 54° 15'.

4. The party commenced the ascent of the Skeena in a canoe, which they managed to take on as far as the Forks, a distance of 110 miles from the sea. The river ceases to be navigable at that point, in consequence it is supposed of falls and dangerous rapids; and they had to leave the canoe, and to travel 55 miles by land to the Indian village of "Naas Glee," a celebrated native fishing station, from whence the Skeena again becomes navigable to its source in "Babine Lake," 15 miles beyond "Naas Glee."

5. Babine Lake is a broad and extensive sheet of water, nearly 90 miles in length, with

depth sufficient for vessels of the largest class; and is separated by a low table-land 13 miles in breadth from Stuart's Lake, a feeder of Fraser's River, not quite so large as Barbine Lake, but otherwise equally well adapted for the purposes of navigation.

6. The report closes with the arrival of Mr. Downie and party, after much suffering and privation, at Fort St. James, Stuart's Lake, where their wants were generously relieved, and themselves hospitably entertained, by the officers of the Hudson's Bay Company.

7. Mr. Downie made several important discoveries in course of his adventurous journey. He found gold in small quantities on the Skeena River; and the mountains, which he had not time to explore, appeared to be of the formation containing gold; he also saw very valuable and extensive beds of coal. He moreover found gold on Stuart's Lake. He describes the country between the Forks and "Naas Glee" as being well adapted for farming, and suitable for the construction of roads. The whole distance from Babine Lake to the sea does not appear to exceed 180 miles, a great part of which is accessible by water.

8. The valley of the Skeena is thus shown to be an available avenue into the interior of British Columbia, and will, I have no doubt, soon become a most important outlet for the upper districts of Fraser's River, which, from the course of the river and the direction of the coast, are brought in close proximity with the sea.

9. As a means of supplying the distant mining districts of British Columbia by a shorter and cheaper route than the valley of Fraser's River, its importance will soon be appreciated and attract the attention of the mining and commercial classes; and I believe that the day is not far distant when steamers will be busily plying on the waters of the two great inland lakes.

10. It appears from the American papers published in Washington territory that rich gold diggings have been very lately found by the men of the United States Boundary Commission on the Shimilcomeen River, and we shall have to turn our attention immediately to that quarter, as the greater part of the Shimilcomeen Valley lies north of the 49th parallel of latitude, and within the limits of this colony.

11. The enclosed clipping from the "Pioneer and Democrat," of the 4th November instant, contains all the information we have yet received relative to that discovery.

I have, &c.

His Grace the Duke of Newcastle.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 29.

Encl. in No. 29.

SIR,

Fort St. James, Stuart's Lake, New Caledonia,
October 10, 1859.

I beg to make the following report of my trip to Queen Charlotte's Island, and my journey thence by Fort Simpson to the interior of British Columbia.

I left Victoria on the 27th July with 27 practical miners, having stores, &c., &c., for three months. We arrived in Gold Harbour, Queen Charlotte's Island safely on the 6th August, and immediately set about prospecting, as we expected to see the gold shining in the water.

Prospecting.

We examined the spot where a large quantity of gold was formerly taken out, and discovered a few specks of gold in the small quartz seams that run through the slate; two of the party blasting the rock while others prospected round the harbour.

I then proceeded in a canoe to Douglas Inlet, which runs in south of Gold Harbour, hoping to find traces there of the Gold Harbour lead, but without success. The nature of the rock is trap or hornblende, with a few poor seams of quartz straggling over the surface. Granite was found at the head of this inlet, but not a speck of gold could we discover. Next day we went up an inlet to the north of Gold Harbour, and here a white rock showed itself on the spur of a mountain, and like old Californians up we must go to see if this was a place where our fortunes were to be made. After a difficult ascent we found it to be nothing but weather-beaten, sun-dried granite instead of quartz. Further up the inlet we saw a little black slate and some talcose rock, but nothing that looked like gold. On our return we found that the men engaged in blasting the rock had given it up, the few surface specks being all the gold that could be found. The character of the rock is generally trap or hornblende.

Nature of the
rock.

No gold.

The large amount of gold that was formerly found with so little difficulty existed in what is called an off-shoot or blow. The question then arises how did the gold get here? Some of our party were of opinion that a gold lead existed close at hand. But it can only be put down to one of the extraordinary freaks of nature so often found in a mineral country.

Offshoots of
gold.

The off-shoots in question are not uncommon, I have often seen them in California. On such a discovery being made hundreds of miners would take claims in all directions near it, and test the ground in every way, but nothing further could be found, except in the one spot about 70 feet in

BRITISH
COLUMBIA.

Skidegate
channel.
Sulphuret of
iron.

length, running S.E. and N.W.; on being worked about 15 feet it gave out. Before work commenced I have blown the sand off a vein of pure gold.

I now proposed to test the island further, so we started for the Skidegate Channel. At a village of the Crosswer Indians, where we were wind bound, the appearances were more favourable,—talcose slate, quartz, and red earth; we tried to discover gold but without success. Sulphuret of iron was found in abundance, and we discovered traces of previous prospecting, the Indians understand the search for gold well, and detect it in the rocks quicker than I can.

The coast from the Cassiver Indian village to Skidegate Channel is wilder than any I have ever before travelled, and we did not care to hunt for gold in such a place. Five Indians were drowned here to-day while fishing.

At the Skidegate Channel we found black slate and quartz, travelling further north granite appears and then sandstone and conglomerate, and as we were now in a coal country it was no use to look for gold.

Coal formation.

We saw coal here, but I cannot speak as to its quality, not being a judge of it. The formation is similar to that of Nanaimo.

Fort Simpson.

From here we returned to Gold Harbour. A party who had remained behind to prospect inland had met with no better success than ourselves. We then consulted what was the best thing to do. I did not wish to return to Victoria, as your Excellency had desired me to explore some of the inlets on the mainland, so I left Gold Harbour with a party of 14 men for Fort Simpson, and arrived there in eight days.

The N.W. coast of Queen Charlotte's island is a low sand and gravel flat, having no resemblance to a gold country.

Mouth of
Skeena river.

I left Fort Simpson for the Skeena River on the 31st August; from Fort Simpson to Port Essington is about 40 miles. The salt water here is a light blue colour, like the mouth of Fraser River, and runs inland about 30 miles. The coarse-grained quartz of Fort Simpson is no longer seen here, and granite appears; and the banks of the river are low, and covered with small hard wood and cotton trees, with some good-sized white oaks; the first I have seen west of Fraser's River.

Timber.

Depth of water.

Vessels drawing more than four feet of water cannot go more than 20 miles up the Skeena River, and it is very unlike the deep inlets to the southward. At our camp here some Indians visited us; they told us they were honest, but next morning the absence of my coat rather negatived their statement.

River Scenatoys.

First gold
quartz.

Next day we found the river shoal, even for loaded canoes, as it had fallen much. At our next camp I went up a small river, called Scenatoys, and the Indians showed me some crystallized quartz, and, to my surprise, a small piece with gold in it, being the first I have seen in this part. The Indian took me to a granite slide, whence, he asserted, the piece of quartz in question had come from. I found some thin crusts of fine quartz, but no gold. I am of opinion, however, that good paying quartz will be found here. From the River Scenatoys to Port Essington, at the mouth of the Skeena River, is 75 miles; a little below the Scenatoys an Indian trail leads to Fort Simpson; it is through a low pass, and the distance is not great.

Trail to Fort
Simpson.

River Toes.

From this, 10 miles further up, was a river called the Toes, on the south side; hence is an Indian trail to the Kitloops on the Salmon River. The south branch of Salmon River is called Kittama.

By this time we were fairly over the coast range, and the mountains a-head of us did not look very high, the current here was very strong, and much labour required to get our canoe along, and we had to pull her up by a rope from the shore.

Gold found.

Gold is found here a few specks to the pan, and the whole country look auriferous, with fine bars and flats with clay on the bars; the mountains look red, and slate and quartz can be seen. Next camp was at the village of Kitalaska and I started in a light canoe ahead of my party, as our canoe by all accounts could not get much further, and I then determined to penetrate to Port Fraser.*

Appearance of
the country.

Kitalaska.

River Kitchumsala.

River Chimkoatsh.

Plumbago.

The Indian who was with me told me that a large stream called the Kitchumsala comes in from the north; the land on it is good and well adapted for farming; here the Indians grow plenty of potatoes. To the south a small stream called the Chimkoatsh, on the south of which is the Plumbago mountain; I had some in my hand, it is as clear as polished silver, and runs in veins of quartz.

Near to this are the words "Pioneer, H.B.C." on a tree and nearly overgrown with bark; the Indians told me it was cut by Mr. John Waln, a long time ago.

Kitcoonsa.

Fine land.

Hospitable
Indians.

Mining prospects.

From here to the village of Kitcoonsa the land improves, the mountains recede from the river, and fine flats run away 4 or 5 miles back to their bases, where the smoke is seen rising from the huts of the Indians engaged in drying berries for the winter, which abound here. These Indians were very kind to us, and wished me to build a house there, and live with them.

Above the village of Kitcoonsa the prospect of gold is not so good as below, where a dollar a day might be made. As the season was so advanced I was not able to prospect the hills, which look so well about here, and unless the Government takes it in hand it will be a long while before the mineral resources of this part of British Columbia are known. I think this is the best looking mineral country I have seen in British Columbia. From here to the village of Kitsagatala the river is rocky and dangerous, and our canoe was split from stem to stern.

Most promising
part of British
Columbia.

Kitsagatala.

Coal.

Depth of seam.

Breadth of
lead.

Facility of
working.

At Kitsagatala we entered a most extensive coal country, the seams being in sight and cut through by the river, and running up the banks on both sides, varying in thickness from 3 to 35 feet.

The veins are larger on the east side and are covered with soft sandstone, which gives easily to the pick; on the west side quartz lines the seams, which are smaller. The veins dip into the bank for a mile along the river, and could easily be worked by tunnels on the face, or by sinking shafts from behind on the flats, as they run into soft earth.

I have seen no coal like this in all my travels in British Columbia and Vancouver's Island.

Dangerous
Indians.

River journey
ends.

We experienced some dangers from Indians here, but by a small present of tobacco, and by a determined and unconcerned aspect, I succeeded in avoiding the danger of a collision with them. We could go no further than Kittamarks, the Forks of the Skeena river in the canoe, and we had been 20 days from Fort Simpson, though the journey could have been done in a third of that time.

* Supposed to apply to an establishment of the Hudson's Bay Co.

On the 21st September, I left Kittamarks with two white men and two Indians and started over a fine trail and through a beautiful country for Fort Fraser, we crossed over an Indian suspension bridge and entered some first-rate land, our course being about east; we completed about twelve miles to-day. Next day it rained hard, but we succeeded in doing twelve miles, passing through as fine a farming country as one could wish to see. To the south-east a large open space appeared and I have since learnt that a chain of lakes runs away here, being the proper way to Fort Fraser; but as I always follow my Indian guides implicitly, I did so on this occasion. The third day the weather was fine but the trail not so good, it ran along the side of a mountain, but below, the trail was good, and grass abundant. My Indians started after a goat of the mountain but was quickly driven back by three bears. The fourth day we crossed what is called the rocky pass, which may be avoided by keeping the bottom. To the north a chain of mountains could be seen covered with snow, distant about 30 miles, where the Hudson Bay Company have a Post called Bear Fort; to the south is the Indian village Kispyattes, along the bottom runs the Skeena past the village of Allagasomeda, and further up the village of Kithathrats on the same river.

Fifth day we encountered some dangerous looking Indians but we got away from them. We passed through a fine country with cotton trees and good soil.

We now arrived at the village of Naas Glee where the Skeena River rises, we were again on the river we left five days ago, having travelled 55 miles when we might have come by the river. We had great difficulty with the Indians here, and it was fortunate I knew the name of the chief, as otherwise they would have taken all our property; as it was they surrounded us and were most importunate, one wanted my coat, another my gun, a third took my cap from my head; and I really thought they would murder us. These Indians are the worst I have seen in all my travels. Naas Glee is a great fishing station, and all the worst characters congregate here to lead an indolent life, as they live on the proceeds of their salmon fishery. Thousand of salmon were drying at this village.

We hardly knew what to do for they told us it was 10 days to Fort Fraser, and if we returned they would have robbed us of everything; so I determined to go on if the chief Norra would accompany me, and on giving him some presents he consented to do so. I was never so glad to get away from an Indian village, but I am ready to go again and prospect this country if your Excellency wishes it. The river from Naas Glee downwards is very rapid; but as the banks are low and flat a waggon road or railroad could easily be made. The land around Naas Glee is first rate, and wild hay and long grass abound. Potatoes are not grown here, owing to the thieving of the Indians. There is no heavy pine timber hereabouts; the canoes are made of cotton wood.

Above Naas Glee the river was very rapid, and it required all our energy, as we had but a small quantity of dried salmon to last us 10 days. Ten miles above Naas Glee is an old Indian village called Whatatt; here the shoal water ends and we enter the Babine Lake, going through a fine country; we accomplished 20 miles this day; the lake is broad and deep. Next morning, to my surprise, I found a canoe at our camp, with Frenchmen and Indians in charge of Mr. Gavin Hamilton, an officer in the service of the Hudson Bay Company, from Fort St. James Stuart's Lake, New Caledonia, whither we were bound: he was on his way to Naas Glee to purchase fish. He advised me to go back with him to Naas Glee and then to return with him to Stuart's Lake; but as I had seen enough of Naas Glee I refused with thanks. In fact I was very anxious to reach Fort St. James, as I did not wish to be disappointed this time. Mr. Hamilton expressed his surprise that we had managed to get away from Naas Glee, as we were the first white men who had come through this route, and even he found much difficulty with the Indians there. Having persuaded Narra the chief to let us have his canoe, we said farewell to Mr. Hamilton, and proceeded on our journey.

It was fortunate we sent back our two Indians, otherwise we should have suffered from starvation, as it was we reached Stuart's Lake with difficulty. We made a fine run to-day before a fair wind to Fort Killamours, this post is only kept up in the winter. Our course from Naas Glee to this place was S.E. and the distance about 50 miles. The land is good the whole way, with long grass on the benches near the Fort. It is a very lonely place, no sound save your own voice. It seems a great pity to see this beautiful land, so well adapted for the wants of man, lying waste; when so many Englishmen and Scotchmen would be glad to come here and till the soil. Babine Lake is deep and in some places five or six miles wide, there are islands and points of land to afford shelter from the storm, blow whence it may. From Fort Killamours to the head of Babine is about 40 miles direction S.S.E., only from the head down about 20 miles it runs E. and W. We arrived at the head of Babine the seventh day after leaving Naas Glee we had seen no Indians and had made a favourable journey, neither had we seen snow. The country we had passed was well adapted for farming; of course some of the land is rocky but on the whole it is a fine country.

At the head of Babine Lake there is a fine site for a town, and a good harbour could be made; a stream runs down which would supply a town with water. This is what I call the head water of the Skeena River; the lake is navigable for steamers, and 100 miles in length.

From here to Stuart's Lake there is a portage over a good trail, through the finest grove of cotton wood I have ever seen, to Stuart's Lake: the ground was thickly strewn with yellow leaves, giving the scene quite an autumnal appearance, and presenting a picture far different to what we expected in this part of British Columbia.

Six miles from Babine we came to a small lake where were some Indians herring fishing; on our approach they appeared undecided whether to run or remain; I asked them for some food and they soon provided us with some fish, which refreshed us much; having paid for our repast, we started again. From here a small stream runs, a distance of four miles to Stuart's Lake.

Arrived at Stuart's Lake, we found no means of crossing, no Indians to direct us, and no food to sustain us; nor had we any shot to enable us to kill ducks. We camped here three nights without food, sleeping the greater part of the time to stifle our hunger.

The only thing that supported us was the grand idea of the enterprise we were engaged in—that of being the first party to explore the route from the Pacific to Fraser's River, which will one day connect the Atlantic with the Pacific Ocean.

BRITISH COLUMBIA.

Commences by land.

Fine farming country.

Chain of Lake.

Bears.

Snowy Mountains.

Indian villages, on the Skeena river.

Naas Glee.

Great difficulty with the Indians.

Salmon fishery.

Leave Naas Glee.

Character of land.

Absence of Pine.

Whatatt.

Babine lake

Fort Killamours.

Good land.

Description of Babine lake.

Head waters of Skeena river.

Portage to Stuart's lake.

Arrival at Stuart's lake.

Destitute state.

BRITISH
COLUMBIA.

We had, meantime, to see what could be done to free us from our present difficulties. One of our party found on old canoe split to pieces; this was rigged on a raft of logs as well as circumstances would admit.

Embark on the lake.

Timely succour.

Friendly Indian on the lake.

Prospect of gold.

Good land.

Arrive at Fort St. James.

Distance from Stuart's lake to mouth of Skeena river. Fellow travellers.

I returned to the Indians above mentioned, and purchased a few herrings. I walked back to our camp with difficulty, and found my limbs giving way. Next morning we started on our frail raft, expecting every moment she would go down. We were obliged to sit perfectly still, as the least movement would have upset us. A slight breeze sprung up, and a small sea washed over us: and we had to run for a lee shore, where kind Providence sent an Indian to succour us. He welcomed us with a bonjour, invited us to his lodge, and gave us most excellent salmon trout, taken from the lake. We had at last reached here, with thankful hearts for our preservation through so many dangers. We stayed a night with this Indian, and next day gave him a blanket to take us to the Fort. We abandoned our old canoe without regret, and proceeded towards our destination. The Indians all along here were very kind to us, and seem a good set of people. About half-way across Stuart's Lake we obtained a small prospect of gold. On the north side of the lake, for about 20 miles, the ground is rocky, but south, towards the Fort, the land is as good as can be, and will produce anything.

We reached Fort St. James on the 9th October, and were received by Mr. Peter Ogden with that kindness and hospitality I have always found at the Hudson Bay Company's posts.

The Fort is very much exposed to all the winds, and I found it colder here than anywhere on the journey.

Stuart's Lake is 50 miles long; the portage to Babine 10 miles; Babine Lake 100 miles; from Naas Glee to Fort Simpson 650 miles; and 200 miles from Fort Simpson to Gold Harbour, Queen Charlotte's Island.

The names of the two men who accompanied me were William Manning, an Englishman, and Frank Choteau, a French Canadian. It is possible that I shall prospect the Fraser a little farther this fall.

His Excellency Governor Douglas,
&c. &c. &c.

I have, &c.,
(Signed) WILLIAM DOWNIE.

EXTRACT from the "Pioneer and Democrat," 4th November 1859.

From the "Dalles Journal," October 21.

NEW and RICH GOLD DISCOVERIES on the SI-MIL-KA-MEEN RIVER.

An expressman, named McGuire, arrived at the Dalles in the early part of the week from Captain Archer's command, reports the discovery of rich gold diggings on the Si-mil-ka-meen river, about five miles from the camp. According to our informant, the discovery is confined to a small bar on the river, which is being worked by soldiers, quartermaster's men, and a large number of Indians. The men from camp go down after breakfast, walking a distance of five miles, and working not more than half a day, average about \$20 to the hand. This is without the ordinary conveniences for mining, and with nothing but picks, using frying-pans for washing out. With "rockers," it is estimated that from \$50 to \$200 to the hand could readily be taken out. We have not learned that any of the neighbouring bars have been prospected, but it can scarcely be possible that the rich deposits are confined to one locality; and when a thorough examination is had, it is more than likely that rich strikes will be made all along the course of the river. Mr. McGuire, who is represented to us as an entirely reliable man, says that he himself visited the diggings, and saw the miners at work, taking out gold at a rate fully equal to that stated. It is represented that the officers in command are very anxious to conceal all knowledge of the discovery, they apprehending an immediate rush, that in the present condition of the country must be attended with great privations. The nearest point at which supplies necessary to the miner can be obtained is Colville, which is over 100 miles distant from the newly discovered mines. The Indians, too, are represented to be decidedly hostile; and inasmuch as the troops are about to remove, miners would be exposed to constant attacks from savage foes. We mention these facts as a caution against a wild and headlong rush, but should the mines prove half as rich as represented, not all these dangers twice over would serve to check the crowd of gold hunters that from all quarters will hie to the new El Dorado. The expressman who brings this news, says that he has been all through the California mining districts, but no where has he seen dirt that prospected so well as that at the Si-mil-ka-meen gold mines. The discovery, we are told, was made by Sergeant Compton, in whose honour the locality has been named "Compton Bar."

The effect of this news has been to create quite an excitement in our town, but as yet we hear of no departures for the new gold mines. Should the next advices confirm these startling reports, we may expect to witness a stampede scarcely equalled by that to Fraser River.

Since writing the above, we have been permitted to make the following extracts from letters received at this place from officers of the army, attached to the boundary survey.

Although the discoveries made are to a very limited extent, yet they prove what we have heretofore asserted as our belief in the existence of gold in that part of Washington Territory, and the Upper Columbia, to be correct.

It is now, however, too late to prosecute the investigation this season, but we do not entertain a single doubt that during the next spring and summer developments will be made which will establish the fact of that part of the country being—as we have always believed it was—equal, in mineral wealth, to any part of California or Mexico.

EXTRACTS FROM LETTERS.

Camp Si-mil-ka-meen, Oct. 8, 1859.

* * I am detached with 14 men at the N. W. B. station on the Si-mil-ka-meen, about 12 miles from its mouth. * * On the 6th, my sergeant showed me the result of six pans which he washed

and we found it to be worth \$6. On the 7th, two men obtained \$20 each; others from \$5 to \$15. We have no tools or conveniences, and the men know but little about digging gold. I give you the simple facts, and shall make no comments. * * * It is much coarser gold than any found on Fraser River, some pieces weighing \$2 to \$50.

This river is very incorrectly mapped, as it is 150 miles long, with numberless tributaries. It is a swollen mountain torrent till the middle of July, so that it is late before it can be worked. It is my opinion that this gold was washed out of the hills contiguous, this year, as these diggings thus far have been on the surface only. You know that gold will always, if you give it time, find its way to the bed rock. I do not know that they will be developed soon as we shall leave here in 10 or 12 days, and it will not be safe for a small party to attempt to mine. These Indians want a severe thrashing, and then the country can be traversed with safety. Our command has kept them civil, otherwise there would have been the devil to pay as usual.

Camp Osoyoos, W. T., Oct. 10, 1859.

* * * As many gold-fevered letters were doubtless dispatched by the regular mail, it may be important to the excitable population of your city, to have correct accounts from the diggings. It is true that a rich placer, yielding from \$10 to \$30 a day to the hand, has been discovered, ten miles above the forks—but the gold is confined to a single locality, the extent of which is not more than 25 by 10 yards.

White, whom I sent out to prospect the stream for four or five miles above and below the placer, has failed to find it in remunerative quantities at any other point. It seems to be the opinion of experienced California miners that, rich as the placer is it will be worked out in less than two weeks, and that there is no more gold on the river worth mining.

I mention all this in order to prevent men who may have heard exaggerated accounts from coming this fall. Possibly next spring or summer, miners might come and discover something better, but to come from the Dalles now would end in nothing but suffering and disappointment.

I was always confident that gold existed in the mountains of this territory, and expected a discovery by some one of the many expeditions which went out last spring.

No. 30.

No. 30.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE OF NEWCASTLE.

(No. 239.)

Victoria, Vancouver's Island, December 22, 1859.

MY LORD DUKE,

(Received February 14, 1860.)

I HAVE the honour of transmitting herewith the copy of a Proclamation providing for the establishment of courts in British Columbia, to enable suitors to recover debts not exceeding in value the sum of 50*l.* sterling by a cheap and speedy method. The practice of the Supreme Court was found to be too slow and expensive to meet the exigencies of suitors in the recovery of small debts, which were not unfrequently abandoned in preference to incurring the expense of seeking redress at that tribunal.

2. Many abuses had grown out of that state of things, together with a general want of confidence, and an almost entire stoppage of credit transactions, to the great injury of the mining population, who require advances to enable them to carry on their operations.

3. The evil was not felt under the form of government established previously to the Proclamation declaring English law in force in the colony of British Columbia, which issued on the 19th day of November 1858, as justices of the peace were before that event necessarily invested with very extensive powers, which they exercised to the satisfaction of the public, who overlooked occasional deviations from the strict letter of the law, in the security enjoyed, and the amount of public good achieved.

4. There is a general feeling in the colony in favour of the re-establishment of that system, which would, however, be inconsistent with English law, and the Attorney General has framed the Act, now herewith transmitted, to accomplish the desired object of facilitating the recovery of small debts by a process rapid and yet not expensive to suitors.

5. The additional expense to the colony will be inconsiderable, as the whole business of the new courts is to be conducted by the present stipendiary magistrates, with the single addition of Mr. Elliot, an English barrister, whose salary of 200*l.* a year will be paid from fees.

6. The "Joint Stock Companies Act" has also in view the encouragement of mercantile enterprise and the formation of joint stock companies, by restricting the liability of shareholders to the amount of their investments in those concerns, and relieving them from further responsibility.

III.

L

BRITISH
COLUMBIA.

7. Those Acts are both much needed, and will be of great advantage to the colony.
 8. The reports of the Attorney General, fully explaining the character of the Acts, are also herewith transmitted for your information.

His Grace the Duke of Newcastle,
 &c. &c. &c.

I have, &c.
 (Signed) JAMES DOUGLAS,
 Governor.

Encl. 1 in
No. 30.

Enclosure 1 in No. 30.

(No. 14.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice Admiral of the same, &c., &c.

WHEREAS under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd year of the reign of Her Majesty Queen Victoria, intituled an "Act to Provide for the Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said colony, and have been authorized by Declaration under the public Seal of the said colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same; and Whereas it is expedient to afford a clear and speedy method of recovering small debts and demands in British Columbia,

Now, therefore, I, James Douglas, Governor of the said Colony, do proclaim and do declare as follows, viz.:

1. Every person whom I may from time to time hereafter commission to act as a County Court Judge in British Columbia shall, from the date of his commission, be authorized and empowered to hear and determine all personal pleas and all actions of tort cognizable by the County Courts in England in manner hereafter mentioned.

2. So much of the enactments of the 8th and 10th Victoria, chap. 95, entitled an Act for the more easy recovery of small debts and demands in England as are applicable to this colony shall be adopted by the County Court Judge.

3. The amount recoverable before any County Court Judge in British Columbia shall not exceed the sum of 50*l*.

4. The duties of the clerk of the Court appointed in England shall be performed by the County Court Judge himself.

5. The duties of the High Bailiff, appointed in England, shall be performed by the Sheriff of British Columbia, or by any Deputy Sheriff of British Columbia.

6. The practice and procedure in the County Courts, over which such County Court Judge shall preside, and the fees to be taken therein shall, as herein mentioned, and until altered by some rule or order to be made as hereinafter mentioned, be the same as in the Inferior Court of Civil Justice, in Vancouver Island.

7. The County Court Judge shall have a power of granting a *capias ad respondendum*, in all cases of debt of the amount of 20*l*. or upwards.

8. Any three of the County Court Judges, and also the Judge of the Supreme Court of Civil Justice in British Columbia, may make rules and orders for the governance of the County Courts of British Columbia, which rules or orders shall be of full force when confirmed by the Governor of British Columbia, and the Judge of the Supreme Court of Civil Justice of British Columbia.

9. All fees shall from time to time be paid into the Treasury.

10. This Act may be cited for all purposes as the "British Columbia Small Debts Act, 1859."

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this tenth day of December, in the year of our Lord one thousand eight hundred and fifty-nine, and the twenty-third year of Her Majesty's Reign, by me,

JAMES DOUGLAS. (L. s.)

By Command of his Excellency,
 WILLIAM A. G. YOUNG,
 Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Encl. 2 in
No. 30.

Enclosure 2 in No. 30.

(No. 15.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice-Admiral of the same, &c.

WHEREAS under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I James Douglas have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony, to make laws, institutions and ordinances, for the peace, order, and good government of the same; and

Whereas doubts have arisen whether the Joint Stock Companies' Acts 1856, 1857, and 1858, apply to British Columbia.

Now, therefore, I, James Douglas, do hereby declare, proclaim, and enact as follows:—

1. That the said Acts shall be taken, construed, and read together, and be taken and deemed to extend to the Colony of British Columbia except as herein-after mentioned.

2. The third section of the Joint Stock Companies' Act, 1857, shall not apply to mining companies in British Columbia.

3. The eleventh section of the said Act shall not come into operation until the imposition of a stamp duty in British Columbia.

4. The power given to companies to empower any person as their attorney to execute deeds on their behalf in any place not situate in the United Kingdom, shall not apply to the execution of deeds in British Columbia, and shall include a power to empower an attorney as aforesaid to execute deeds in the United Kingdom.

5. That the reports to be made to, and the powers and duties vested in and imposed upon the Board of Trade by the said Acts, shall be vested in and imposed upon the Attorney-General of British Columbia until some other person or authority shall be nominated by the Governor for the time being, of British Columbia.

6. That until some other person or authority shall be nominated as aforesaid, the Attorney-General of British Columbia shall be the Registrar of Joint Stock Companies.

That the aforesaid "The Court" in the said Acts defined shall mean the Supreme Court of Civil Justice of British Columbia.

That the "official liquidator" in the 88th section of the said Act, particularly mentioned shall be in every case appointed by the said Supreme Court of Civil Justice of British Columbia.

That the several powers by the said Act vested in the Lord Chancellor of Great Britain, shall be vested in the Judge of the Supreme Court of Civil Justice of British Columbia, who may make all rules which the Lord Chancellor of Great Britain is by the said Acts empowered to make, such rules when made, to be approved of by the Governor for the time being of British Columbia.

That any person may be appointed by the Judge of the Supreme Court of Civil Justice of British Columbia to act as a special commissioner to take evidence.

Notices by the said Acts required to be published in the London, Edinburgh, and Dublin Gazettes, shall be published in the official Gazette of British Columbia.

The fees to be paid under the said Acts shall be paid by the person receiving the same into the Treasury of British Columbia.

This Act may be cited for all purposes as the "British Columbia Joint Stock Companies' Act, 1859."

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this tenth day of December, one thousand eight hundred and fifty-nine, in the twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No. 31.

No. 31.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 240.)

Victoria, Vancouver's Island, December 22, 1859.

MY LORD DUKE,

(Received February 14, 1860.)

I HAVE the honour of transmitting herewith for your Grace's information the copy of a Proclamation issued on the 2nd day of December instant, imposing a charge of 12s. per ton on all goods transported or taken from New Westminster to any place in British Columbia, to be paid by the carrier of the goods to the collector of Her Majesty's customs at New Westminster.

2. This is simply a revenue Act, intended to raise a fund to be applied to the opening and improvement of the navigation in the Fraser and Harrison Rivers, and especially to the removal of an extensive shoal in the latter, which renders it impassable by the river steam vessels for a great part of the year.

3. The tax has not excited the smallest feeling of discontent even among the proprietors of steam vessels, who are acquainted with its object, and expect to derive many advantages from the improvement of the navigation.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.
Encl. in No. 31.

Enclosure in No. 31.

(No. 16.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia, and its Dependencies.

WHEREAS, by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith I, James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation issued under the Public Seal of the said Colony, to make laws, institutions, and ordinances, for the peace, order, and good government of the same.

And whereas it is expedient to raise further revenue for the purpose of opening and improving the communications, navigation, and roads in British Columbia.

Now, therefore, I do hereby declare, proclaim, and enact as follows:

That the following monies and tolls shall be levied on all wares, goods, and merchandise, carried in British Columbia from the 1st of January 1860:—

Twelve shillings for every ton of wares, goods, and merchandise transported or taken from New Westminster to any place in British Columbia.

The said twelve shillings per ton shall be paid by the person proposing to take away or transport any wares, goods, or merchandise aforesaid to Her Majesty's Collector of Customs at New Westminster, before taking away or transporting any such wares, goods or merchandise from New Westminster aforesaid.

The ton aforesaid shall be calculated where the wares, goods, and merchandise are of a character generally estimated by admeasurement by admeasurement, and in all other cases by weight.

Whenever any wares, goods, or merchandise shall be proposed to be carried or transported from New Westminster as aforesaid, by any common carrier, either by land or water, whether on his own account or on account of any other person, the tolls and monies aforesaid shall be levied on and payable by the common carrier aforesaid.

Any person wilfully evading or attempting to evade the payment of the same, shall be fined treble the amount of toll, or any sum not exceeding 100*l.*, at the discretion of the magistrate.

Any penalty under this Act may be recovered and enforced before any magistrate in British Columbia in a summary way.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this Tenth day of December 1859, in the Twenty-third year of Her Majesty's Reign, by me,

JAMES DOUGLAS. (L.S.)

By command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No. 32.

No. 32.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE OF NEWCASTLE.

(No. 241.)

Victoria, Vancouver's Island, December 23, 1859.

(Received February 14, 1860.)

MY LORD DUKE,

(Answered No. 12, February 28, 1860, page 108.)

I HAVE the honour of transmitting herewith, at the request of Colonel Moody, the accompanying copy of a communication from him respecting the portions of land which it may be desirable to reserve in Burrard's Inlet for naval purposes, and to inform your Grace that I will immediately enter into communication with Admiral Baynes on the subject, and will direct the Commissioner of Lands and Works to make such reserves for naval purposes as the former officer may deem expedient.

I have, &c.

His Grace the Duke of Newcastle.

(Signed) JAMES DOUGLAS,
Governor.

&c. &c. &c.

Encl. in No. 32.

Enclosure in No 32.

SIR,

New Westminster, December 13, 1859.

PERSONS are now beginning to apply for lands on Burrard's Inlet, and as that port has been deemed by naval authorities to be of considerable naval importance, partly in consequence of its close proximity to this city and the river Fraser, I have the honour to submit that it is of immediate consequence to communicate with the Admiral Commanding-in-Chief, fortunately now at Esquimalt, that he may be pleased to express his opinions as to the portions it is desirable should be reserved for naval requirements.

I should feel obliged by your causing a copy of this letter to be forwarded for the information of the Secretary of State.

His Excellency Governor Douglas.

I have, &c.
(Signed) R. C. MOODY,
Colonel.



MAP
OF A PORTION OF
BRITISH COLUMBIA.
COMPILED FROM THE SURVEYS & EXPLORATIONS
OF THE
ROYAL NAVY & ROYAL ENGINEERS,
AT THE CAMP NEW WESTMINSTER
NOV^r 24th 1859.

Scale of English Miles.
0 5 10 20 30 40 50

Reference.

Exploration by Lieut. Palmer, R.E. May & June 1859, marked thus:
do. " Lieut. Mayne, R.N. May 1859, do.
do. " Lieut. Palmer, R.E. Sept. & Oct. 1859, do.
Practicable Roads. do.



No. 33.

BRITISH
COLUMBIA.
—
No. 33.COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 1.)

Victoria, Vancouver's Island, January 9, 1860.

MY LORD DUKE,

(Received March 5, 1860.)

I HAVE the honour to transmit herewith, for your Grace's information, a report, with maps, of a journey made by Lieutenant Palmer, R.E., from Fort Hope to Fort Colville in September 1859.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 33.

Encl. in No. 33.

SIR,

Royal Engineer Camp, New Westminster,
British Columbia, Nov. 23, 1859.

IN obedience to instructions furnished me by Captain R. M. Parsons, R.E., I hasten to lay before you a short report, topographical and otherwise, on the country between Fort Hope on the Fraser and Fort Colville on the Columbia River.

I deem it the better plan, and one calculated to give you as much information as a hurried reconnaissance can develop, to describe separately each day's journey, dwelling on such points of interest as presented themselves on the route, and embracing as much minutiae as a simple and rapid topographical report will admit of.

With the assistance of an excellent chronometer and a sextant I was enabled to fix the astronomical positions of nearly all my camps, the longitudes having reference to the Royal Engineer observatory at this place.

The report is accompanied by a geographical map on the scale of five English miles to one inch of the route, and the country in its vicinity, and a table is annexed showing the latitudes and longitudes of my camps, their approximate altitudes in feet above the sea level, as determined by aneroid observations, their distances from one another, and their respective availabilities, for wood, water, &c.

I beg further to state that I took the liberty of furnishing Mr. Begbie, Chief Justice of British Columbia, (who travelled part of the way with me) with the approximate latitudes of a few of our camps, as a means of guiding him in the construction of a reconnaissance sketch of the route from Fort Hope to Fort Kamloops.

It being too late by the time my work was completed to recross the Cascade mountains I took the Columbia River route to Portland, crossing thence to Olympia, and reached this place on the 4th instant. Since, however, I am anxious to lay this report before you as quickly as possible, I shall have the honour to afford you further information in a second report with reference to personal instructions.

In conclusion, I take this opportunity to acknowledge the kindness and courtesy of Mr. Angus McDonald, of the Hudson Bay Company, who furnished me with horses from Fort Hope to Fort Colville, and gave me much local and general information about the country, on which, from his great experience and long residence in this part of the world, I feel assured every reliance is to be placed.

I have, &c.

Colonel R. C. Moody, R.E.
&c. &c.(Signed) H. SPENCER PALMER,
Lieutenant Royal Engineers.

P.S.—November 24th. I have the honour further to annex to my report a map on a scale of 20 miles to one inch of such portions of British Columbia as have been already surveyed and explored by the Royal Navy and Royal Engineers.

This map has been prepared with the view of indicating the relative positions of the inlets on the coast and the inhabited portions of British Columbia, also in illustration of the opinions expressed in the military section of my report.

I have, &c.

(Signed) H. S. PALMER,
Lieutenant Royal Engineers.

COPY OF INSTRUCTIONS.

SIR,

New Westminster, September 8, 1859.

You will proceed from New Westminster to Fort Hope, attach yourself there to a party of gentlemen in the Hudson Bay Company's Service under the command of Mr. Angus McDonald, and travel with them to Fort Colville.

The object of your mission is to gain information on the country lying between Fort Hope and the 49th parallel of latitude, where it meets the route to Fort Colville.

To this end you will freely communicate with Mr. McDonald, a gentleman of great information, who has travelled much in this country, and is kindly disposed to assist your inquiries.

BRITISH
COLUMBIA.

You will take with you such instruments as are necessary to determine a few positions astronomically, and to establish the general course of your route.

As it is not practicable for me to give you detailed instructions as to what objects most merit your attention in a region of which we know so little, I confide in your habits of observation, impressing upon you the necessity of keeping full notes of your journey, and of the general nature and result of your inquiries, day by day.

It seems desirable that you should note daily the hours of your travel, and estimate the distances accomplished; this will assist you in confining your descriptions of the topography of the region within their proper limits.

In describing the general features of the country I request you will pay attention to the following points:—

From Fort Hope to Manson Mountain, is there any land available for agriculture; describe carefully the route across Manson Mountain; does it appear to be a continuous range joining Mount Baker; is it densely wooded; what is its geological formation and the general bearing of its crest; inquire if there are more passes than one; could the trail be carried round the mountain on either flank; between what months is the mountain covered with snow; is the route then impracticable; is there any eligible site for a military post on the frontier slope, or anywhere near the pass with which a communication could be kept open throughout the year?

Describe the Similkameen Valley; its adaptability to settlement; if inhabited by Indians state how they live, and if they have in any way cultivated the soil; is there any building material to be found in the valley; is fuel abundant; is it so open that it can be crossed on horseback in any direction at will; is there any position on the plain, or near the confines of it in our territory, where a post could be established that would command the routes to British Columbia from Washington Territory; what access is there to this plain from Fort Thompson; is any trail known from Fort Langley or Whatcomby?

Describe the Tulameen and Similkameen Rivers and their banks.

You will describe, as far as practicable, the geological formation of the country through which you pass, noting carefully if you meet with it the locality of a change from trappean to stratified rocks; out-cropping rocks on the plains should be paid attention to, river banks inspected, and the character of boulders and detritus given.

Astronomical observations are requested to be made, as frequently as possible, at points on your route that can hereafter be readily recognized; among them I would suggest the point where the route first crosses the Tulameen River; the junction of that river with the Similkameen and some point on the plain near the 49th parallel.

The bearings on your route will be determined with the prismatic compass, also the courses of the rivers as far as possible. Observations should be taken to conspicuous hills and up valleys, especially from the points fixed astronomically. It will be desirable if you can employ the Aneroid barometer for altitudes.

You will not stay at Fort Colville longer than is necessary, but make arrangements to return to head-quarters in the quickest and most economical manner; to this end you will consult Mr. McDonald, who is certain to render you valuable assistance.

On your return you will frame your report to the officer commanding with the least possible delay.

I have &c.
(Signed) R. M. PARSONS,
Captain R. E. commanding.

Lieutenant Palmer, R. E.

REPORT on the Country between Fort Hope on the Fraser and Fort Colville on the Columbia River,
by Lieutenant H. SPENCER PALMER, Royal Engineers.

PART I.—TOPOGRAPHICAL JOURNAL.

September 9th to 16th.—In compliance with my instructions I left New Westminster on the 9th of September last, and after a somewhat tedious trip reached Fort Hope on the morning of the 11th.

Unfortunately the weather during my stay there was anything but favourable for astronomical observations, but I succeeded in obtaining sufficient to verify previous results and to afford me a good chronometer rate. The position of Fort Hope, and the principal natural features of the country in its vicinity, have probably been already so well made known, that it appears unnecessary to enter into any minutiae respecting them.

I may, however, state that the fort stands on the left bank of the Fraser, in lat. $49^{\circ} 22' 21''$ N., long. $121^{\circ} 24' 39''$ W., about 85 miles by water above New Westminster. The only means of access to it from the lower country at present existing are two, viz., the steamer route on the Fraser, practicable for powerful vessels at all seasons, and a trail from Whatcom* cut last year by miners, which passes to the southward of Langley, and, joining the Fraser 50 miles above, follows up its left bank to Fort Hope.

The site of the town and fort is in the heart of the mountains, not the Main Cascade Range, but spurs from six ridges parallel to it, which extend down either bank of the river for some 15 miles and upwards for a much greater distance.

The river Coquahalla, which rises in the Cascades, has a general westerly direction from seven miles above its mouth downwards, and, taking a bend to the N.W., $1\frac{1}{2}$ miles behind the town, empties into the Fraser $2\frac{1}{2}$ miles above it.

It is in the embouchure of the valley of this river that the town of Hope is situated, and up this valley runs the route which forks to Manson's Mountain and Boston Bar, the former an old Hudson Bay trail, the latter cut this summer by a party of Royal Engineers, under the direction of Captain Lempriere, R.E.

The most prominent mountain visible from Fort Hope is Ogilvie's Peak, bearing N. 58° E. (true) and distant four or five miles in an air line. A glimpse can occasionally be had in clear weather of the summit of Manson Mountain, bearing N. 88° E., a bearing I afterwards found to correspond pre-

* Whatcom is a town in American territory situated on the Gulf of Georgia.

cisely with an observation for latitude obtained near that point, and which gave me great confidence in the accuracy of my results.

September 17.—On the 17th of September I left Fort Hope, in company with Mr. Angus M'Donald, of the Hudson's Bay Company, and commenced my journey up the Coquahalla Valley.

Mr. Begbie, Chief Justice of British Columbia, Mr. Bushby, Registrar, and Mr. O'Reilly, J.P., who were travelling to Fort Kamloops on judicial business, accompanied our party on foot.

Taking a general easterly direction our route up the valley for the first three miles passed through a country level and lightly timbered, and covered in places with an abundance of brush and young trees.

The soil appeared somewhat sandy and light, but good for farming, and this portion of the valley is as well irrigated as any land (that is capable of cultivation) I have met with in British Columbia.

Three miles east of Fort Hope two conical hills, from 600 to 800 feet high, obstruct the otherwise generally straight course of the river, and have forced it to find a passage between them and the mountain mass skirting the southern limits of the valley. To avoid this unnecessary circuit, the trail crosses the Coquahalla $1\frac{1}{2}$ miles from Hope, and, leaving it to the right, follows the level country to the base of the first hill.

Near this spot lies a pretty little lake, to which I could see no outlet or inlet, and which was apparently fed by springs and the drainage from the mountains. Towering above its opposite shores were the steep rocky cliffs of "Ogilvie's" and adjacent peaks so close as to be clearly reflected in the dark still water of the lake, and a tiny cascade stealing down the crooked crannies of the mountain with a scarcely perceptible motion added to the picturesque beauty of the spot.

Leaving the lake, we crossed the two conical hills before us, and rejoined the Coquahalla three miles further on. While traversing the southern slope of the second of these two hills Mr. M'Donald drew my attention to what was apparently a large defile in the mountain range, bearing S.E. about 20 miles, and leading, as far as I could judge at that distance, through the main Cascade Range eastward.

That part of the country having never yet been explored, this opinion is simply a matter of conjecture. Much yet remains to be done in order to discover some more feasible pass to our possessions east of the Cascades than that afforded by Manson Mountain, and it is the opinion of many old residents in the country that passes do exist, which have yet to be explored, south of the present one, but, at the same time, north of the boundary of British North America.

After rejoining the Coquahalla we travelled along its right bank for about one mile, and then, leaving the Boston Bar trail trending north, up the valley of the river, we crossed to its left bank a mile west of the foot of the most prominent spur from the Manson Range. On arrival at the foot of this spur, we commenced the ascent on the southern slope in a direction parallel, or nearly so, to its crest, leaving the mass of the mountain intervening between us and the Coquahalla. Here the road, which thus far had been tolerably good, deteriorated to an extent anything but pleasant, a rude, rocky track wound its way along the steep sides of the mountain over hundreds of fallen logs and amongst masses of fragmentary rock that have from time to time been detached from the precipices above, and, on attaining a higher elevation, mud, one of the few disagreeables of a mountain journey in the Cascades, and deep enough to debar any but Indian horses from forcing their way through it, rendered travelling a matter of considerable difficulty, and added a scarcely agreeable feature to a landscape already somewhat limited.

Six miles of this travelling brought us to the first camping place, where a slight opening in the woods enabled me to discover the features of the country through which the latter part of our route had lain.

We appeared to have been travelling up a mountain pass walled in by two slightly converging spurs from the Manson Range, whose slopes, although separated at the opening of the pass by a considerable space, here meet and form a rocky defile, down the bed of which a swift brook forces its way, and, fed on its passage by numerous small streams and waterfalls, swells to the magnitude of a mountain torrent, and rushes into the Coquahalla a short distance below the point where we last crossed.

To the east I saw towering above us the steep portion of the main Manson Range, over which lay our to-morrow's journey, its crest running nearly North and South, and connecting the two spurs above mentioned.

This evening, the weather being beautifully clear, I was enabled to take stellar observations for latitude and departure, a piece of good fortune I had not anticipated, as the latter part of our route had been too densely wooded to admit of observing anywhere but in the slightly open place selected for our camping ground.

Wood and water were of course abundant, but the horses had to be fed on barley brought for the purpose, there being no grass in the neighbourhood or indeed anywhere on the mountain slopes.

September 18.—We rose at dawn, and soon commenced the laborious ascent of the mountain by a zig-zag trail, very steep and rocky, but, fortunately for ourselves and the horses, free from mud.

After struggling up this difficult mountain path for an hour and a half we reached the summit of the pass, the magnificent view from which fully compensates the traveller for the labour of the ascent.

Looking north, south, and east, the view embraced mountain scenery of a description scarcely to be surpassed.

As far as the eye could reach, an endless sea of mountains rolled away into blue distance, their sides clothed almost to the summits with an impenetrable forest of every species of pine, and their peaks and recesses lit up by the rays of the early sun, too early yet to lighten the gloomy valley below us.

Here and there a rugged naked peak towered up in bold relief some 1,000 feet or more above the summits of the adjacent ranges, spotted with occasional patches of snow in crevices never perhaps penetrated by the sunlight, and so complete was the net-work of mountains in which we were enveloped, that the question of "How we were ever to get out of them," which naturally occurred, appeared to me somewhat difficult of solution.

Looking west, the view of the Fraser valley was obstructed by the spurs between which we had travelled yesterday afternoon, and the only signs of its whereabouts were developed by a break in the otherwise interminable mountain mass.

BRITISH
COLUMBIA.

I endeavoured while on the summit to form as good an idea of the topography of the region as the time I spent there would admit of.

East of where I stood, and about five miles distant in an air line runs a mountain mass, bearing more resemblance to a range than the rest, whose summits are somewhat higher than those of the surrounding ridges, and the general direction of its crest about N.N.E.

From the fact of its being the dividing ridge between the tributaries of the lower Fraser and those of the Columbia I entertain no doubt that this is the backbone of the Cascade Range, but so undefined are its general features, and so remarkable is the absence of any prominent and distinguishing snow capped peaks, such as are visible from the "Dalles," and by which one may determine the general bearing of a range, that it is a matter of extreme difficulty to follow its direction with the eye for more than a few miles.

Apparently it forked with the Manson Range about 10 miles south of where I stood, but beyond that all traces of its direction were lost.

I was not able to see Mount Baker, but from general appearances and its known position I am of opinion that the network of mountains constituting the dividing range maintains a general south-south-westerly direction till it unites with that peak.

Between me and the main ridge was a deep glen or forest bottom, not free from mountains, it is true, but nevertheless a valley, down which pours in a considerable stream one of the head tributaries of the Coquahalla, uniting with it in about $49^{\circ} 35'$ north latitude, near northern extremity of the Manson Range.

Before closing my description of this mountain I may mention that the snow which in winter falls to a depth of from 25 to 30 feet on its summit, renders the route impracticable for at least seven months in the year, and dangerous before the 1st of June or after the 1st of October.

Mr. McLean of the Hudson Bay Company, who crossed in 1857 or 1858, on the 16th of October had a very disastrous trip, and lost 60 or 70 horses in the snow.

Traces of their deaths are still visible, and in riding over the mountain, and more particularly on its eastern slope, my horse frequently shied at the whitened bones of some one of the poor animals, who had broken down in the sharp struggle with fatigue and hunger, and been left to perish where he lay.

After riding along the summit in a southerly direction for a couple of hundred yards, we commenced the descent of the eastern slope, an undertaking which was accomplished with considerable difficulty, owing to the rocky and dangerous nature of the trail, and its extreme steepness in places, and I was not sorry to reach a tolerably level forest bottom 1,100 feet below the summit, filled though it was with an impassable mud of black decomposed vegetable matter, and a net-work of thick-growing and obstructive timber.

The trail follows this bottom for about five miles in a general south-south-easterly direction, a distance it took us $3\frac{1}{2}$ hours to travel, and then plunging into a deep glen crosses the previously mentioned tributary of the Coquahalla.

The western slope of the dividing ridge falls almost perpendicularly into this stream, and though less muddy than those of Manson Mountain, and tolerably free from rock, except in places where huge masses of debris detached from the summit have found a lodgment on the side of the hill, it is if anything steeper than the latter, though not so trying to animals.

The mountain sides are plentifully clothed with a forest of spruce fir trees of inconsiderable dimensions, and brush appears scarcer than heretofore.

The trail winds up the face of a huge spur from the mountain mass, jutting out in a south-westerly direction, and, steep though it was, our horses appeared to ascend with much greater ease than they did on the rocky muddy slopes of Manson's Mountain.

In two hours a considerable decrease in the density of the forest, and the appearance of short grass and mountain heather told me we were nearing the summit; the timber shortly almost entirely disappeared, and as both men and horses were by this time tired, we camped towards evening in a pretty sheltered spot 600 feet below the summit known as the "Campment du Chevreuil."

At this camp No. 2 (19 miles by trail from No. 1), water and firewood are abundant, and grass, though by no means plentiful, grows on the neighbouring slopes in quantities sufficient to afford subsistence for horses.

Its name is likely to disappoint the expectations of the hungry traveller, as deer are very scarce, but white ptarmigan abound, and some of these birds which were shot by our Indians and broiled over the camp fire, made an excellent supper after our weary day's march.

It is here that Mr. Fraser met his death by a tree falling on him when asleep, and within a few yards of the spot where we had pitched our tent; a neat pile of rough hewn logs mark his lonely grave.

September 19th.—The day broke misty and cold, and afforded no great promise of an extensive view from the summit. I started early that I might have as much time there as possible, and reached the highest practicable point about half an hour after leaving camp.

The appearance of the mountain scenery at this hour was most singular.

The thick morning mist, rolling swiftly along in light, fleecy, but opaque masses, entirely obscured the valley below us, and revealing only a few lofty peaks of the adjacent ranges appeared to isolate us from the rest of the world.

Yielding to the rising sun, it ere long began gradually to lift; the peaks in turn became one by one concealed, and before I left the spot the whole had clear away, revealing to the north, south, and west the same lofty crests and ridges, and the same interminable sea of mountains that I had admired yesterday morning from the western summit.

To the east, however, the scene was different. True, the country was pretty closely packed with mountains, but unlike the bold and rugged outlines of the Cascade range, their slopes and summits were more soft and rounded in appearance; indications were to be seen of extensive and probably fertile valleys, and tapering away in the far distance, the mountains seemed gradually to diminish their proportions, and to subside into rolling hills with grassy and scantily timbered slopes.

I was again disappointed in not seeing Mount Baker, as I had hoped the superior elevation of this range would have afforded me a much more extensive view to the southward.

I obtained, however, a bearing of S. 64° E. to a remarkable conical peak, which cannot fail to be recognized, and which affords an excellent land-mark to any one desirous of forming a general idea of the topography and limits of this portion of British Columbia.

In a region like this the grand proportions of the mountains are calculated to deceive the eye very much with respect to distance, and the transparency of the atmosphere materially assists the delusion when an object is viewed from the summit of a range. From its bearing, however, and probable distance, I conjecture it would be very close to the 49th parallel. I afterwards found that it is situated on borders of the southern portion of the Similkameen valley, near the junction of that river and the Okanagan, and as it transpired that the parallel cuts its northern slope, I named it "Mount Forty-nine."

At Mr. McDonald's suggestion I gave the mountain we stood on the Gaelic name "Stuchd-a choiré," from a beautiful "choiré" or recess situated about half way down its eastern slope.

On the summit, and invisible except from the rocks immediately surrounding it, lies a pretty sequestered little lake, guarded by one solitary stunted oak, and lower down on the eastern slope is a larger one, on whose banks, there being plenty of firewood, travellers from the eastward frequently camp.

The "Campment du Chevreuil" is, however, the usual camping place going westward. About 10 A.M., the horses having arrived, we commenced our journey down the eastern slope of "Stuchd-a choiré," a matter easily accomplished owing to the gradual nature of the descent.

Singularly enough this ridge, while separating the waters of the Fraser tributaries from those of the Columbia, seems also to draw a dividing line between the characteristic features of the country.

In the tract upon which we were now entering grass seemed more beautiful than heretofore, the forest less dense, and the trees of diminished proportions; in lieu of soft vegetable mould a firm soil of sand and clay rendered travelling far easier and more pleasant; and brush which during the last two days' journey had been so dense as almost to preclude the possibility of avoiding occasional obstructions on the trail, now so nearly disappeared as to admit of deviation at will.

After descending some 800 feet from the summit, we struck a small stream fed by still smaller forks branching off into ravines and clefts in the hills. These are the head waters of the "Tulameen," the main tributary of the Similkameen River.

A low range of hills varying from 500 to 1,000 feet in height skirt the valley or rather the glen of this mountain torrent, which for the first 10 miles has a general direction of E. by N., and the trail runs on its left bank, at an undulating level over the low spurs from the range.

For the first seven or eight miles the road, though excellent for travel, passed through a forest of small burnt timber, and the scarred and blackened trunks, devoid of foliage, presented a dreary and monotonous landscape.

I passed on my journey through several similar tracts of greater or less extent, but I think the mountain spurs and rocks and the bends of the rivers form, as a general rule, impediments to the spread of the fires, which confine them within reasonable limits, and prevent their effects from being so devastating as one might imagine.

About 12 miles by trail from the point where we first struck it, the Tulameen takes a long sweep to the northward, and crossing it here at a ford where it was about 15 yards broad and 18 inches deep, we camped on the opposite bank. This camp, designated No. 3, is about 15 miles by the trail from the "Campment du Chevreuil," and contains an abundance of firewood and water. The horses were driven across the river again to feed, but as grass was very scarce they had to pick what they could from the wild vetches and other plants, on which Indian animals alone can subsist.

September 20th.—Commenced cloudy and cold with light rain.

From the point where we were camped the Tulameen takes a large horse-shoe bend to the northward, resuming its easterly course about 10 miles from us in a straight line near the completion of the shoe. The bend is filled up by an elevated plateau 1,000 feet high, whence numberless low, sharp, broken spurs jut out in every direction towards the stream.

Over this plateau lay our to-day's journey, the trail taking this route to avoid the long detour made by the Tulameen.

Four miles travel in a north-easterly direction up a steep defile, between two of the spurs, brought us to the summit, and we emerged on a large open undulating down, where the timber nearly disappeared, and was replaced by quantities of yellow furze and mountain heath.

On a clear day the view from this plain must be very extensive. Now, however, the atmosphere in the west was too thick and cloudy to afford us a glimpse of "Stuchd-a choiré," through the snowy Cascade Peaks to the south, and "Mount Forty-nine" in the south-eastern horizon were just visible at times.

Preserving a general north-easterly direction we continued our journey across the plateau. The soil became very peaty and the trail rocky in some places, though generally good for travel. Ponds and marshes frequently occurred, grass in the latter growing to a considerable height, though on the drier portions of the plain it was scarcely long enough for a horse to nibble at, and five miles from the commencement of the plateau timber (fir) again became plentiful. A short way further on a trail from "Whatcom," cut last year by miners anxious to reach "Thompson River," forks with that on which we were now travelling.

On the exact route it takes, or the extent to which it is practicable for travel, I could collect no reliable information; but I believe it crosses the cascades in the vicinity of the parallel, and is generally a better trail than that over Manson Mountain.* At 2 p.m., after a short day's journey, we camped near the eastern extremity of the plateau, on the borders of a small, nearly circular, lake, half a mile in diameter, where wood was plentiful, and grass just sufficient for the horses to subsist on. In the evening a storm of snow and sleet gave us reason to congratulate ourselves on having snug tents and good camp fires; but as the sky remained overcast during the whole of our stay here, I was unfortunately prevented from taking any astronomical observations.

September 21.—The morning broke, cold, raw, and muggy; and the snow, which was some four or

* Possibly it passes through the defile observed from the conical hill in the "Coquahalla" valley. Its direction would suggest that idea.

BRITISH
COLUMBIA.

five inches deep, and still continuing to fall, scarcely contributed to the general comfort of either ourselves or our animals.

We decided not to move till the storm was over, which the Indians told us would be about noon, and their prediction proved correct; as shortly after that hour the snow ceased, the sky brightened, and we started as quickly as possible, anxious to reach the "Campment des Femmes" before nightfall.

We travelled this afternoon in a general north-easterly direction over a tract of country, lightly timbered and grassy on the uplands, but heavily timbered in the valleys.

The trail alternately rose and fell over a succession of low and rather precipitous ranges of hills, amongst the recesses of which the noisy waters of numerous small rivulets wind their tortuous paths, and uniting here and there in considerable streams force their way to various points on the Tulameen.

At 4.30 we reached the summit of the final steep descent of 600 feet to the river.

Immediately below us the "Tulameen," now swelled to the proportions of a river, whose course from the westward could be distinctly traced, takes a long stretch to the south-eastward, while running north. Opposite the spot where we stood extends a broad thickly timbered valley leading to the Nicholas Lake, and thence to Fort Kamloops.

Descending the hill we shortly reached the river, and leaving the Kamloops trail to our left traversed the right bank for a few hundred yards. Then, crossing at a ford, readily distinguishable, we pitched our tents at the "Campment des Femmes," so named from a custom prevalent among Indians en route for Fort Hope of leaving their women and children here while they perform the journey across the mountains.

The fine evening, and its position in a mild and pleasant valley, made camp 5 contrast agreeably with our last night's quarters, and some tolerable bunch grass afforded the horses a better meal than they had had since leaving Fort Hope. The stars, too, soon shone out, and with their assistance I was enabled to fix a point of considerable importance in connexion with the objects of my journey.

September 22. A fine clear morning. At this camp we bade good-bye to Mr. Begbie and party, who took the northern trail to Kamloops.

We followed the valley of the "Tulameen" in a general south-easterly direction along a level grassy river bottom rather scantily timbered and devoid of brush.

These bottoms vary in width from one-eighth to half of a mile, and the meanderings of the river cause them to alternate pretty regularly from side to side. The trail is generally good, but projecting rocky points and occasional slides from the mountains on our left now and then rendered travelling unpleasant. In one or two places the mountain spurs jutted precipitously into the river, and a rude rocky trail across the first practicable ledge would form the only means of access from bottom to bottom.

At mid-day we reached a point where the river takes a considerable bend to the south south-eastward, and to avoid the detour the trail passes to the eastward over a portion of the mountain range some 1,000 feet above the valley.

From the summit of this hill the country assumes a perfectly different character.

Bunch grass of excellent quality, probably the best known grazing food for cattle and horses, occurs everywhere in great quantities, forest land disappears from the slopes and gives way to a park-like country prettily ornamented with trees of somewhat inferior growth; the river instead of roaring through caverns and mountain bluffs is now bordered by low and easily accessible banks, and the eye of the traveller so long accustomed to the dull monotony of the forest dwells with pleasure on considerable tracts of prairie land in the valleys before him.

The everlasting mountains, it is true, do not disappear, but their rounded grassy slopes contrast favourably with the thick forest growth or bleak desolation of the western ranges, and though their summits tower up to considerable heights, the gradual nature of the slopes eliminates the rugged, unprepossessing, and inaccessible appearance so peculiar to the cascade region.

Immediately below us lay a large scantily timbered plain formed by the confluence of four considerable valleys. From the south a long tortuous line of willow and other trees marked the course of the "Similkameen," which rises in the mountains near the 49th parallel, and forks with the "Tulameen" in this plain.

The latter river enters from the N.W. and the two when united take an easterly course towards a third valley, the narrow entrance to which was plainly visible from our position, while running north a fourth, two miles wide, extends far away in the direction of Fort Kamloops. Up this latter valley runs one of the two main routes leading from Washington Territory to Fort Kamloops and the Upper Fraser, the other and shortest route past the Great Okanagan Lake lying altogether east of the Similkameen.

Descending the hill to the plain we crossed it in an easterly direction, and struck the Similkameen a mile below the Forks, and within a few hundred yards of the point where the Kamloops trail unites with that on which we were now travelling.

The junction of the two rivers is named the "Vermillion Forks," from the existence in its neighbourhood of a red clay or ochre, from which the Indians manufacture the vermilion face paint; but though I endeavoured to find its whereabouts, being anxious to procure a specimen, my search was unsuccessful.

We camped this evening on the left bank of the Similkameen one mile below the forks, and shortly after our arrival were visited by some of the natives of the district.

These were the first mounted Indians I had met with, and I was particularly struck with their vast superiority in point of intelligence and energy to the Fish Indians on the Fraser river and in its neighbourhood.

Agriculture, however, is but little known amongst them, and a few potato patches form the extent of their progress in this direction. They appear to live chiefly on fish, viz., trout and salmon, on game such as wild fowl, prairie chicken, and mountain sheep, and on wild berries, several kinds of which, including black and red cherries, abound in the neighbouring valleys.

The greater portion of the tribe were absent when we passed, but those who visited the camp were fine men, and superb riders, and, though poorly clad, evinced a neatness, and an effort to improve

their personal appearance, which contrasts favourably with the dirty, slovenly habits of the Fraser Indians.

The Romish religion is universal amongst them, propagated, I imagine, by the members of the Jesuit missions on the borders of Washington territory, and I was not a little surprised to see that, on entering camp, they invariably crossed themselves before making the sign of respect or salutation. Unlike the gaudy but picturesque native burial grounds which dot the banks of the rivers in the interior of British Columbia, the graves of these Indians are scattered about singly over the country, their wandering habits assigning no fixed place of abode, and a small earthen mound or pile of stones, surmounted by a wooden cross, were the only objects that marked the few solitary graves I happened to come across on the trip. I should mention that the "Similkameen" Indians are a portion of the Okanagan tribe, and speak the same language—one so guttural and unpronounceable as to render it almost hopeless for any white man to attempt to acquire a proficiency in it.

As our horses wanted a day's rest after their weary mountain journey, I decided to remain two nights at Camp 6, and the weather being fine and clear, I was again enabled to take astronomical observations. From these I obtained a mean latitude of $49^{\circ} 27' 42''$ N., showing a considerable error in all existing maps; but I feel confident of the accuracy of the observations, and that any future survey will verify the result obtained.

September 24 and 25. The weather continued fine and clear, and we resumed our journey at an early hour. Passing over one of the mountain spurs, 300 feet high, at the narrow entrance to the valley, the trail descends into a fine prairie, scantily timbered, and containing excellent bunch grass.

As the valley for the first 37 miles (comprising two days' travel) exhibits the same general features, one description will suffice to afford the necessary information.

Like most of the mountain streams, the Similkameen is extremely tortuous, and the prairies, which alternate pretty regularly from side to side, vary in width from one-eighth to three-fourths of a mile, gradually increasing till towards Camp 8 they attain a breadth in places of a mile.

The grass is generally of good quality, the prickly pear or ground cactus, the sore enemy to the moccasin traveller, being the surest indication of approach to an inferior description.

Timber is for the most part scarce on the prairies, but coppices appear at the sharp bends of the river tolerably well wooded, and abounding in an underbrush of willow and wild cherry, while near the base of the mountains it exists in quantities easily procurable, and more than sufficient for the requirements* of any settlers who might at some future time populate the district.

The soil is somewhat sandy and light, but free from stones, and generally pronounced excellent for grazing and farming; and though the drought in summer is great, and irrigation necessary, many large portions are already well watered by streams from the mountains, whose fall is so rapid as greatly to facilitate such further irrigation as might be required. In corroboration of my expressed opinion relative to the yielding properties of the soil, I may mention that in spots, through which, perchance, some small rivulet or spring wound its way to the river, wild vegetation was most luxuriant, and grass, some blades of which I measured out of curiosity, as much as nine feet high, well rounded and firm, and a quarter of an inch in diameter at its lower end.

The river throughout its entire course is confined to a natural bed, the banks being steep enough to prevent inundation during the freshets (a favourable omen for agriculture), and its margin is generally fringed with a considerable growth of wood of different kinds.

The mountains skirting either side of the valley are steep and frequently rocky, increasing in altitude towards Camp 8, where they attain a height of at least 2,000 feet, and their slopes are plentifully clothed with a forest of various descriptions of timber. The trail throughout is generally good, the mountain spurs at the bends and gorges of the valley, and down which slides frequently occur, being the only portions bad for travel, and many of these are avoided by fords, practicable at all seasons of the year.

Two considerable streams fork with the Similkameen from the south south-west, both of which rise in the cascades, or rather in the mountainous region east of the main range and near the 49th parallel.

The first, named the "Zloochman," unites with it about nine miles below "Vermillion," and an old "Caral," near the mouth, admits of its position being easily recognized. A trail follows the river for some distance into the mountains, leading to no particular place, and Indian hunters, the original makers, are probably the only people who frequent it.

The second, or "Na-is-new-low," river forks about 17 miles further down. Up its valley runs a tolerably good trail leading to the mountains near the parallel, and, as this route is both more practicable and shorter than that in the "Zloochman" valley, it has been used this autumn by the United States Boundary Commission for transporting eastward the whole of their stores, instruments, &c.

Several other mountain streams, some of them of considerable size, fork with the "Similkameen" from the northward and eastwards, but their directions and the positions of their sources are possessed of little interest.

September 26th.—A fine, mild morning. Travelling along from Camp 8., towards the Keereemaous bend of the "Similkameen," the valley gradually widens to upwards of a mile; the prairies become more extensive, and the soil richer; timber is chiefly confined to the uplands and banks of the river, and the mountains, though undiminished in height, are covered with grass, and assume a pretty park-like appearance.

We soon reached the bend, distant four miles from Camp 8, where the river changes its direction from east to south. Looking southward from the head of the bend is seen a fine open valley 12 miles long, varying from $1\frac{1}{2}$ to 2 miles in width at its upper and middle portions, and tapering to a narrow gorge at its lower extremity.

The river, after taking a bold sweep, runs along near the foot of a mountain range skirting the western edge of the valley, amongst the southernmost of which "Mount Forty-nine" again comes in view, and the trail follows a terrace or bench on the eastern side of the valley some distance from the river bank.

Rich, well irrigated soil, long grass, and luxuriant wild vegetation are the characteristic features of this beautiful district, which appears admirably adapted for cultivation, and may in fact be named "the Valley of the Similkameen."

* For building, fuel, &c.

BRITISH
COLUMBIA.

We camped to-night at a point near the southern extremity of this valley, where the trail leaves it and an observation of Polaris, which gave me a latitude of $49^{\circ} 03' 20''$ north, dispels all doubt as to the position of the boundary in reference to the valuable tract through which we had just travelled.

September 27th. A wet, chilly, gusty morning, and snow visible on "Mount Forty-nine" and adjacent peaks.

About four miles from our camp (No. 9), occurs a second bend, commonly known as the "Big Bend" of the Similkameen." It here resumes its easterly course, passing at the bend through a cañon, or mountain defile, and the trail, striking off from the river to the south-eastward, rejoins it below the bend at a point nearly one mile south of the boundary.

An astronomical party of the United States Boundary Commission, and a portion of the escort under the command of Lieutenant Camp, U.S.A., were encamped on this spot.

The trail, on leaving Camp 9, passes over a divide in the range of hills bordering on the river, the ascent and descent being long and gradual, the land terraced and grassy, and the road good.

The topography of this district will be better understood by reference to the map, whence it will be seen that two trails lead to the "Osoyoos Lake," the one passing through the boundary camp, and leading to its southern extremity, the other (which we followed) taking a long sweep to the northward up another divide in the hills, and then following a south-easterly direction along the margin of the lake till it reaches Camp 10.

Mr. McDonald and I had stayed behind our party to visit the Boundary Camp, giving them orders to camp near one of the small lakes in the divide. When we came up, no signs of them were to be seen, and nothing but his (Mr. McDonald's) great experience in tracks, now so nearly obliterated by the rain as to be invisible to my unaccustomed eyes, afforded us a clue to the path they had taken.

It was dusk ere, on turning a sharp corner, the cheerful light of the camp fires revealed the position of the party, just as we were beginning to dwell on the unpleasant prospect of spending a supperless, blanketless night.

Camp 10 is situated in latitude $49^{\circ} 01' 52''$ N., at a point on Lake Osoyoos where two long sandy bars projecting from either side to nearly the middle of the lake, and connected by a ford, admit of a passage across.

About $4\frac{1}{2}$ miles south by east of us are the Okanagan and Similkameen Forks, the valley of the latter river, in which we are now camped, running a little to the westward of north.

Lake Osoyoos is 10 miles long and about $1\frac{1}{2}$ miles wide. Between it and the great Okanagan, two smaller ones occur, the northernmost between seven and eight miles long, the latter about five, and the four are connected by the Okanagan river.

The soil in this part of the valley is poor and gravelly, though further north the land improves greatly in quality. On Osoyoos and the other lakes wild fowl are very numerous, and partridges and prairie chickens abound in the valley; grass is plentiful, timber scarce, and for the first time since leaving Fort Hope we missed the cheerful aspect of a blazing log in front of the tent door.

September 28.—To-day was cold but fine. We started late, having but a short day's journey before us, and crossing the lake at the ford, travelled three miles in a south-easterly direction along its margin. The trail here takes to the eastward, following a long and gentle ascent up a divide in the Okanagan Range.

We took this route and camped five miles up the divide on a small stream which runs into the Osoyoos Lake a short distance south of where we left it.

September 30 to October 2.—As nearly the whole of the remainder of the route is in American territory, a general outline of the features of the country will be as much as is necessary.

The trail, on leaving Camp 11 (which is in latitude $48^{\circ} 58' 59''$ N.), runs a little north of east up the divide we had already commenced ascending. The slope is gradual, the trail good, the land terraced and covered with excellent round bunch grass, timber plentiful (viz. larch, pine, and aspen), and the soil of excellent quality. The summit 2,850 feet above the level of the sea commands a fine view of the Cascade Mountains west of the Similkameen, extending north and south, and affording the usual ocular illusion of ranges perpendicular to the line of vision. Looking east, the eye takes in an immense tract of country, more or less mountainous and intersected by winding valleys, embracing the Pend d'Oreilles and Cœur d'Aleur countries, and the unexplored regions north of the British Frontier.

It is difficult in a country so extremely mountainous to form a good idea of the bearings and extent of the different ranges.

It appeared to me, however, from present and subsequent observation, that this divide, after cutting through the Okanagan Range, also separates part of a broad extensive chain intersected in a tortuous line by the valley of the N-woy-al-pit-kwu River, and thence passing eastward along the parallel to Fort Sheppard, near which point it is divided by the Columbia; thence north of the Pend d'Oreilles country, and nearly at right angles to the well-known Bitter Root Range, till it is lost amid the towering peaks of the Rocky Mountains.

Passing the summit of the divide, the traveller soon strikes the head waters of the "Siyakan" a rapid mountain brook which forks with the "N-woy-al-pit-kwu" 25 miles from the "Osoyoos." The trail follows down this stream to its mouth and is generally good and at a gentle slope, except at the immediate descents to the "Siyakan" and "N-woy-al-pit-kwu." The distance from the Siyakan Forks to Fort Colville by the valley of the latter river is about 85 miles. After striking the "N-woy-al-pit-kwu" the trail runs south of east, and soon crosses the frontier. Pretty alternating prairies, extending to a considerable size at the embouchures of valleys, light soil, good bunch grass, mountains here and there falling bluff and perpendicular into the river, then retreating from it in low, broken, grassy masses, and a country generally park-like and pretty, complete the characteristic features of that portion of the N-woy-al-pit-kwu valley comprised in the next two day's travel. The river is about the same size as the Similkameen, viz. from 20 to 50 yards broad, swift, shallow, and clear, and its banks are generally low and easily accessible. The trail, bad only in two or three places where it passes over unavoidable spurs, crosses the river from time to time; wild fowl are abundant, and excellent camping places exist all along the route.

October 3d-5th.—On the evening of the 2d October we again approached British territory by a long bend of the river to the northward, and camped on its right bank, in lat. $48^{\circ} 59' 19''$ N. From

here the river passes north beyond the frontier, and augmented by a considerable branch from the northward, (possibly the main stream) soon resumes its easterly direction.

At the confluence of the three valleys occurs a large open plain, three miles by two, designated in the plan "La Grande Prairie." This plain, which according to my observations lies within the British line, had, previous to our arrival, been devastated by fire, and the young green grass, just springing up, contrasted refreshingly with the dry yellow hue of the surrounding herbage.

Little snow falls here in winter, and its sheltered position renders it an excellent "guard" for cattle and horses during that season.

Past "La Grande Prairie" the character of the valley changes entirely.

The open timbered country gives way to a tolerably dense forest of young fir and other trees; the valley sensibly contracts and is walled in by mountains of solid quartz; pasturage hitherto so good and plentiful is difficult to find, and the river again roars along over a rocky bed, and through precipitous mountain defiles.

In this portion fords frequently occur, unavoidable owing to the steep mountain bluffs, and the river takes several remarkable horse-shoe bends. The same general character of country, relieved here and there with patches of prairie and level bottom, extends to the mouth of the river, (33 miles) where it empties with a roar into the Columbia one mile above Fort Colville.

We crossed the Columbia, opposite the Fort, in bark canoes, propelled by long six feet paddles.

The river at this point is about 400 yards wide in the fall of the year, very clear, and very swift.

The Fort stands in a large open prairie, about 1,200 acres in extent, portions only of which are cultivated by Indians, the remainder being liable to inundation when the Columbia is at its height.

One mile below the Fort are the "Kettle Falls" of the Columbia, called by the natives "Schwan-a-te-koo" or "Sounding water."

I visited these falls during my stay at the Fort, and the clear blue water of this noble river dashing with a dull roar over a ledge of rocks 15 feet high, and sending a huge white cloud of foam into the air, is a sight well worth the short walk from the Fort.

Much more might be said on the topography and other general features of this district of the Columbia, but I propose to reserve further remarks for another occasion, and to bring my sketch of this interesting trip at once to a close.

Part II.—MILITARY.

In connexion with that portion of my instructions directing me to notice such points in the Similkameen valley, or anywhere along the frontier, as may be suitable for the establishment of military posts, I have the honour to submit the following brief report of my observations:

Westward from the Similkameen valley, and nearly to the coast, extends a mountain region, so rugged and bleak, and so inaccessible and devoid of roads of communication, that this valley is the first point east of the Sumas, to which attention need be directed.

It and the Okanagan valley are the main thoroughfares to British Columbia from Washington territory, and indeed east of them, as far as Fort Sheppard, the country affords no known practicable means of ingress.

To these valleys, therefore, I chiefly directed my attention, and, as far as I can judge, natural features and advantages point to the "Keereemaous" bend of the Similkameen as the best position for a military post.

The bend opens (see map) into a fine broad valley, extending 12 miles southward to the frontier, which, if necessary, can be fortified with ease. The soil is rich, the land in the valley generally level, timber for building and other purposes plentiful, and water good; and further, easy access can be had to the adjacent Okanagan valley, either by crossing the low grassy spurs of the intervening range, or by a small valley in rear.

I should mention here (having omitted to do so in my topographical report), that the main route from Washington territory passes up the valley of the Okanagan River from its junction with the Columbia and forks at the mouth of the Similkameen, whence branch the two routes already described. An outpost in the Okanagan would guard the valley of that river, and need not be more than eight or nine miles from the main post in the "Similkameen."

As farther inducements to the establishment of the latter, I may state that little snow falls there in the winter, fish and wild fowl are plentiful in the neighbourhood, and grass abundant, and of excellent quality, and that, while a military post would guard the frontier from invasion, protection would at the same time be afforded to the lives and property of any settlers who might at some future time populate the adjoining country.

A great question now presents itself as to the means of communication between this district and the interior portions of British Columbia.

Even if it be practicable at an enormous expense to construct a tolerable waggon road across Manson Mountain, or even should a better route be found by following round the valley of the Coquahalla, there still remains the dividing ridge of the Cascades, and the route would any way be impracticable for at least seven months in the year. Through Lytton, therefore, or the Kayoosh district, by the valleys of the Thompson and Buonaparte River to Nicolas Lake and Fort Kamloops, and thence to the border, all supplies must eventually pass, and hence the necessity of establishing good means of communication with these points from either the Fraser River or the sea.

This further points to the probable future importance of towns at Lytton and Kayoosh with regard to the defence of the frontier, and leads me respectfully to suggest the advisability of an early exploration of the route from Howe Sound to the Upper Lillooet, regarding which I have received favourable information from a reliable source.*

Should the result of such exploration prove favourable, and should it be considered advisable to construct on this route a good waggon road of communication, advantageous results would accrue to our mining districts. Kayoosh or Fountain would probably ere long become a town of considerable commercial importance, and from thence, as a general dépôt, supplies might easily be forwarded to military and other posts between the Upper Fraser and the border.

* The position of the head of "Jarvis Inlet" would also suggest the advisability of an early exploration in that quarter.

BRITISH
COLUMBIA.

With regard to Fort Hope I may mention that nature has already fortified it with an almost impassable barrier of mountains.

All the practicable means of access to British Columbia, except from the sea, strike the Fraser north of Fort Hope. There is, therefore, no occasion for establishing a military post in the neighbourhood of Manson's Mountain, nor indeed can it be considered feasible to do so.

On the importance of defending the border east of Fort Shepherd future explorations will decide.

In connection with this subject it remains but for me to remark, that, from my own observation, and from information afforded me by Mr. M'Donald, I know a frontier road north of the 49th parallel to be practicable from the Similkameen, eastward to the N. Saa-app Lake in the N. Whoyalpitkwu Valley, and further that Captain Pallisser's explorations have determined the possibility of extending such a road from that point to Fort Shepherd, though his report on the intervening tract cannot be pronounced as favourable as might be wished.

Part III.—GEOLOGICAL.

The geographical character of the several districts between Fort Hope and Fort Colville is throughout very uniform, the rocks belonging principally to the igneous and metamorphic series.

The bulk of Manson's Mountain appears to be granite tipped with clay slate, here and there presenting patches of white indurated clay, found on examination to contain fragments of white quartz.

This formation may be said to consist of granite with its felspar decomposed and reduced to a state of indurated clay; it extends to the dividing ridge of the Cascades, and partly into the valley of the Tulameen.

In the latter valley may be seen vast masses of white quartz, in all probability the exposed face of the rock, which, with granite constitutes a large portion of the district extending into the Similkameen valley.

On approaching the summit of the Tulameen Range, the quartz partially disappears, and is replaced by a species of variegated sandstone, in which traces of iron occur. To what extent the sandstone prevailed I had no opportunity of judging, the weather being snowy while I was there and the rocks as a general rule imbedded in peaty turf.

As we leave the Tulameen mountains, and descend into the valley below, indurated clay appears to predominate to a considerable extent. This clay varies in character as we approach the Vermillion Forks; a portion I noticed near that point being a white silicate of alumina mixed with sand. On one specimen which I picked up were the fossil remains of the leaves of the hemlock.

Further down, in the Similkameen valley, the clay acquires a slaty texture, and becomes stained with iron to a greater or less extent. Blue clay also exists, only, however, in small quantities.

The mountains bordering the Similkameen consist chiefly of granite, greenstone, and quartz, capped with blue and brown clay slate.

The beds of both the Tulameen and Similkameen are covered with boulders of granite of every description and colour, of greenstone and of trap, and vary in form and size.

The same character of boulders prevail on the river bottoms to a greater or less extent.

Like that of most of the other explored portions of British Columbia, the geological character of this region appears to indicate the high probability of auriferous deposits. In the lower portion of the Similkameen, and near the "Big Bend," gold was discovered shortly after I passed through by some of the men attached to the United States Boundary Commission.

Report pronounced the discovery a valuable one, as much as \$40 to the hand being taken out in three hours, without proper mining tools; but I cannot speak positively as to the truth of this statement, neither could I discover whether the place spoken of is in British or American possessions. Probability would suggest the former.

Beyond Osoyoos Lake I did not deem it necessary to pay much attention to the geological character of the country, the route lying almost entirely in American possessions. Suffice it to say, that but few features of interest presented themselves, and that in no place did I see any sign of stratified rocks.

PART IV.—CONCLUDING REMARKS.

Having so far concluded my remarks on the topography and other features of the route, I would beg respectfully to submit a few suggestions on what appears to me the most feasible plan for settling up these and some other portions of British Columbia, already explored, and known to be capable of cultivation.

It is already an established and well recognized fact that west of the cascade mountains the greater portion of such lands as are capable of cultivation are either liable to inundation in the summer, or covered with a forest growth so thick as to afford but few inducements to emigrants.

The present undeveloped state of British Columbia, and the absence of any good roads of communication with the interior, would probably render futile any attempts to settle the Similkameen and other valleys in the vicinity of the 49th parallel.

Extensive crops, it is true, might probably be raised, but the emigrant would have to depend for the other necessities of life either on such few as might from time to time find their way into the country from Washington Territory, or on such as might, during four months in the year, be obtained from Fort Hope and other points on the Fraser River, and either of which could not be obtained but at prices too exorbitant for the pocket of the poor man.

It would seem therefore that the Buonaparte and Thompson River valleys are the natural starting points for civilization and settlement, and the remarks I had the honour to make in a preceding section on the importance of towns at Lytton and Kayoosh, with reference to the defence of the border, apply with equal force in the present question of settlement.

Starting from these points civilization would gradually creep forward and extend finally to the valleys on the frontier.

With its advance we should have good roads and cheap provisions, and while the agricultural resources of the country would thus by degrees become developed, the additional comfort that would

be placed within reach of the miner on the upper Fraser would hold out far greater inducements to his stay in the country than at present exist.

Further experimental researches will develop the natural resources of the soil in the valleys under discussion, and clear up any doubt as to its suitability for the growth of crops.

Should the result prove satisfactory, roads will be the first to develop its capabilities, and, viewing the matter in the light of general civilization, it would seem not unfair to adduce the successful cultivation of unpromising districts in other densely-peopled countries, in support of the probability of cultivation extending to large tracts of grass land on the mountain slopes and plateaux, and of the agricultural wealth of the country being thereby vastly improved.

I have, &c.

(Signed) H. SPENCER PALMER, Lieut. R.E.
New Westminster, Nov. 23rd, 1859.

Col. R. C. Moody, R.E.
&c. &c.

BRITISH
COLUMBIA.

TABLE of Latitudes, Longitudes, Altitudes, &c. of Camps.—Lieut. PALMER's Route.

STATION.	Latitude. N.	LONGITUDE.		Height in Feet above Sea Level.	Distance in Miles from last Station by Trail.	Remarks.
		E. of Fort Hope in Time.	W. of Green in Arc.			
Fort Hope—Hudson Bay Fort -	49 22 21	-	121 24 39	140	-	No grass. Timber and water abundant.
Camp I.—Manson Mountain -	49 22 41	0 41.7	121 14 13	1,890	15	
" II.—Stuchd-a-Choire -	49 20 57	1 17.6	121 05 15	3,640	19	Little grass. Ditto ditto.
" III.—Bend of Tulameen -	49 22 15	1 59.8	120 54 42	3,260	15	No grass. Ditto ditto.
" IV.—Tulameen Range -		No observations.		4,230	12	Little grass. Ditto ditto.
" V.—Camp. des Femmes	49 32 29	2 50.0	120 42 09	2,170	12	Wood, water, and grass plentiful and good.
" VI.—Vermillion Forks -	49 27 42	3 56.4	120 25 33	1,790	19	Ditto ditto.
" VII.—Similkameen Valley	49 24 26	4 41.2	20 14 21	1,600	16	Ditto ditto.
" VIII.—Ditto, near Na-is-new-low.	49 12 54	5 44.6	119 58 30	1,275	21	Ditto ditto.
" IX.—Ditto, near Big Bend	49 03 20	6 24.6	119 48 30	775	22	Ditto ditto.
" X.—Osoyoos Lake (crossing.)	49 01 52	7 24.2	119 33 36	630	18	Wood rather scarce; brush and grass plentiful.
" XI.—Divide Colville Range.	48 58 59	8 00.0	119 24 39	2,390	10	Wood, water, and grass abundant.
" XII.—Siyakan Forks -	49 02 48	9 22.8	119 03 57	1,570	19	Ditto ditto.
" XIII.—N. Whoyalpit Kwu Valley.	48 54 41	10 22.9	118 48 55	1,420	20	Ditto ditto.
" XIV.—Ditto, near "La Grande Prairie."	48 59 19	11 34.3	118 31 04	1,360	18	Ditto ditto.
" XV.—Ditto near Falls -	48 58 37	12 54.7	118 13 13	1,260	18	Grass scarce.
" XVI.—11 miles from Colville.	48 46 36	13 12.2	118 06 36	1,050	18	Everything plentiful.
Fort Colville (H. B. Fort) -	48 38 03	13 22.6	118 04 00	830	11	Ditto.

Entire distance by trail from Fort Hope to Fort Colville, = 283 miles.

The longitude of R.E. observatory at New Westminster is approximately 122° 50' W., whence the above are determined.

H. S. PALMER,
Lieut. Royal Engineers.

No. 34.

No. 34.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 2.)

Victoria, Vancouver's Island, January 12, 1860.

MY LORD DUKE,

(Received March 5, 1860.)

I HAVE the honour to transmit, for your Grace's information, a return of the value of imports and customs receipts at New Westminster, British Columbia, for the twelve months ending with the 31st day of December 1859.

2. Your Grace will observe that this return shows an increase in the customs receipts for the December quarter—

Of 103 $\frac{1}{8}$ per cent. as compared with the March quarter;

Of 42 $\frac{1}{2}$ per cent. as compared with the June quarter;

Of 16 $\frac{1}{4}$ per cent. as compared with the September quarter;

The total receipts for the twelve months being 18,464*l*.

3. The duty of 12*s*. per ton on goods and wares carried from New Westminster to all other places in British Columbia came into operation on the 1st day of January 1860. It is estimated that the duty will produce about 8,000*l*. per annum, provided there be no

BRITISH
COLUMBIA.

increase of trade; and should trade increase at the same ratio as last year the revenue derived from it will be in excess of that sum.

4. I trust it will soon be in my power to present to your Grace a statement of the entire public revenue collected for the past year in British Columbia, which will probably be over 50,000*l*.

I have, &c.

His Grace the Duke of Newcastle.

(Signed) JAMES DOUGLAS,
Governor.

&c. &c. &c.

Enclosure in No. 34.

Encl in No. 34.

RETURN of Customs Receipts, and Value of Imports for British Columbia, for the Year ending 31st December, 1859.

CUSTOMS RECEIPTS.

					£	s.	d.
Quarter ending 31st March 1859	-	-	-	-	2,976	0	0
" " 30th June 1859	-	-	-	-	4,242	0	0
" " 30th September 1859	-	-	-	-	5,202	0	0
" " 31st December 1859	-	-	-	-	6,044	0	0
Total amount of Customs Receipts for the Year					£18,464	0	0

VALUE OF IMPORTS.

					£	s.	d.
Quarter ending 31st March 1859	-	-	-	-	175,111	46	6 10
" " 30th June 1859	-	-	-	-	247,755	66	2 5
" " 30th September 1859	-	-	-	-	207,848	07	12 0
" " 31st December 1859	-	-	-	-	255,381	62	6 2
Total Value of Imports for the Year, calculating the Pound sterling at \$5					886,096	81	177,219 7 5

No. 35.

No. 35.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the DUKE of NEWCASTLE.

(No. 5.)

Victoria, Vancouver's Island, January 12, 1860.

(Received March 5, 1860.)

MY LORD DUKE,

24th Para-
graph, No. 224.
18th Oct. 1859,
page 65.

IN my report on the affairs of the colony of British Columbia, of the number and date noted in the margin, I did myself the honour of laying before your Grace a statement of the expense, inconvenience, uncertainty, and delays to which emigrants were exposed in making purchases of land in that colony.

2. I also stated that the Government surveys could not keep pace with the demand for public land, and I might, moreover, have added that the expense of moving surveying parties of the Royal Engineers to the various points where land is required for settlement and cultivation would probably exceed the money value of the land sold.

3. I at the same time informed your Grace that in order to remove so pregnant a cause of complaint, and to facilitate settlement and promote the lawful acquisition of unsurveyed agricultural land, pending the operation of the public surveys, I had authorized the occupation of land to the extent of 160 acres, with a pre-emptive right, by any person immediately occupying and improving such land and agreeing to pay the Government price, not exceeding 10*s*. an acre, whenever the land is surveyed and title granted.

4. I now forward herewith a Proclamation giving to my previous instructions the force of law, and also providing for the purchase, with the same limitation of the ultimate price, of larger tracts of unsurveyed country land, in addition to the land pre-empted, as may be desired by persons of larger means; it being in that case also provided, in order to guard against the mere speculative holding of land, that 5*s*. an acre is to be paid down, and the residue at the time of survey.

5. This Act has been reviewed with much anxious consideration, and every precaution has been taken to adapt its machinery to the state of the colony, and to divest it of unnecessary forms, expense, and delay.

6. The district stipendiary magistrates will record the applications for land, and immediately report the same to the Commissioner of Lands and Works and to the Colonial Secretary, so that it will not cause any further drain on the funds of the colony.

7. The object of the measure is solely to encourage and induce the settlement of the country; occupation is, therefore, made the test of title, and no pre-emption title can be perfected without a compliance with that imperative condition.

8. The Act distinctly reserves, for the benefit of the Crown, all town sites, auriferous land, Indian settlements, and public rights whatsoever; the emigrant will, therefore, on the one hand, enjoy a perfect freedom of choice with respect to unappropriated land, as well as the advantage, which is perhaps of more real importance to him, of being allowed to choose for himself and enter at once into possession of land without expense or delay; while the rights of the Crown are, on the other hand, fully protected, as the land will not be alienated nor title granted until after payment is received.

9. The system will, I trust, have the effect of enlisting the sympathies and letting loose the energy, intelligence, and activity of the whole emigrant population upon the public domain; adding daily to its value, while, it is to be hoped, the people themselves will become more and more attached to the soil, and more studious to acquire property in land rendered valuable by their own labour. Thus men who have no serious intention of settling in the country, and others who, on their first arrival, have not the means of buying land, become in the end devoted settlers, and, in their capacity of producers and consumers, valuable contributors to the public revenue.

10. Other good effects are expected to result from the operation of the Act; there is, for example, every reason to believe that it will lead to the more rapid colonization of the country, and to greater economy in its survey, which can be effected hereafter, when roads are made, at a much smaller cost for travelling and conveyance than at the present time.

11. The district magistrates are authorized in all cases of dispute about land to proceed immediately in a summary way to settle boundaries, to restore possession, to abate intrusions, and to levy such costs and damages as they may think fit; a course which I believe will have the happiest effect in preventing litigation and private acts of violence; for the redress of grievances and to guard against injustice on the part of the magistrate; an appeal from his decision may be carried to the Supreme Court of the colony.

12. I have only further to express a hope that the measure may meet with the approval of Her Majesty's Government.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 35.

Encl. in No. 35.

(No. 17.)

PROCLAMATION.

By his Excellency James Douglas, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-chief of Her Majesty's Colony of British Columbia and its dependencies, Vice-Admiral of the same, &c.

WHEREAS, by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her Most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith, I, James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation issued under the Public Seal of the said Colony, to make laws, institutions, and ordinances, for the peace and good government of the same, and

Whereas, it is expedient, pending the operation of the survey of agricultural lands in British Columbia, to provide means whereby unsurveyed agricultural lands may be lawfully acquired by pre-emption in British Columbia by British subjects, and in certain cases to provide for the sale of unsurveyed agricultural land in British Columbia by private contract.

Now, therefore, I, James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, order, and enact,

1. That from and after the date hereof, British subjects and aliens who shall take the oath of allegiance to Her Majesty and Her successors, may acquire unoccupied and unreserved, and unsurveyed Crown land in British Columbia (not being the site of an existent or proposed town, or auriferous land available for mining purposes, or an Indian reserve or settlement,) in fee simple, under the following conditions.

2. The person desiring to acquire any particular plot of land of the character aforesaid, shall enter into possession thereof and record his claim to any quantity not exceeding 160 acres thereof, with the magistrate residing nearest thereto, paying to the said magistrate the sum of 8s. for recording such claim. Such piece of land shall be of a rectangular form, and the shortest side of the rectangle shall be at least two-thirds of the longest side. The claimant shall give the best possible description thereof to the magistrate with whom his claim is recorded, together with a rough plan thereof, and identify the plot in question by placing at the corners of the land four posts, and by stating in his description any other landmarks on the said 160 acres, which he may consider of a noticeable character.

3. Whenever the Government survey shall extend to the land claimed, the claimant who has recorded his claim as aforesaid, or his heirs, or in case of the grant of certificate of improvement herein-after mentioned, the assigns of such claimant shall, if he or they shall have been in continuous occupation of the same land from the date of the record aforesaid, be entitled to purchase the land so pre-empted at such rate as may for the time being be fixed by the Government of British Columbia, not exceeding the sum of 10s. per acre.

4. No interest in any plot of land acquired as aforesaid, shall before payment of the purchase money, be capable of passing to a purchaser unless the vendor shall have obtained a certificate from

BRITISH
COLUMBIA.

the nearest magistrate that he has made permanent improvements on the said plot to the value of 10s. per acre.

5. Upon payment of the purchase money, a conveyance of the land purchased shall be executed in favour of the purchaser, reserving the precious minerals, with a right to enter and work the same in favour of the Crown, its assigns and licencees.

6. Priority of title shall be obtained by the person first in occupation, who shall first record his claim in manner aforesaid.

7. Any person authorized to acquire land under the provisions of this Proclamation may purchase, in addition to the land pre-empted, in manner aforesaid, any number of acres not otherwise appropriated, at such rate as may be fixed by the Government, at the time when such land shall come to be surveyed, not to exceed ten shillings per acre; five shillings to be paid down, and the residue at the time of survey.

8. In the event of the Crown, its assigns of licencees, availing itself, or themselves, of the reservation mentioned in clause 5., a reasonable compensation for the waste and damage done shall be paid by the person entering and working to the person whose land shall be wasted or damaged as aforesaid, and in case of dispute, the same shall be settled by a jury of six men to be summoned by the nearest magistrate.

9. Whenever any person shall permanently cease to occupy land pre-empted as aforesaid, the Magistrate resident nearest to the land in question may in a summary way, on being satisfied of such permanent cessation, cancel the claim of the person so permanently ceasing to occupy the same, and record the claim thereto of any other person satisfying the requisitions aforesaid.

10. The decision of the magistrate may be appealed by either party to the decision of the judge of the Supreme Court of Civil Justice of British Columbia.

11. Any person desirous of appealing in manner aforesaid may be required before such appeal be heard, to find such security as may be hereafter pointed out by the rules or orders hereinafter directed to be published.

12. The procedure before the magistrate and judge respectively shall be according to such rules and orders as shall be published by such judge with the approbation of the governor for the time of British Columbia.

13. Whenever a person in occupation at the time of record aforesaid shall have recorded as aforesaid, and he, his heirs, or assigns, shall have continued in permanent occupation of land pre-empted, or of land purchased as aforesaid, he or they may, save as hereinafter mentioned, bring ejectment or trespass against any intruder upon the land so pre-empted or purchased, to the same extent as if he or they were seized of the legal estate in possession in the land so pre-empted or purchased.

14. Nothing herein contained shall be construed as giving a right to any claimant to exclude free miners from searching for any of the precious minerals or working the same upon the conditions aforesaid.

15. The Government shall, notwithstanding any claim, record, or conveyance aforesaid, be entitled to enter and take such portion of the land pre-empted or purchased as may be required for roads or other public purposes.

16. Water privileges and the right of carrying water for mining purposes, may notwithstanding any claim recorded, purchase or conveyance aforesaid, be claimed and taken upon, under or over the said land so pre-empted or purchased as aforesaid, by free miners requiring the same, and obtaining a grant or license from the Gold Commissioner, and paying a compensation for waste or damage to the person whose land may be wasted or damaged by such water privilege or carriage of water, to be ascertained in case of dispute in manner aforesaid.

17. In case any dispute shall arise between persons with regard to any land so acquired as aforesaid, any one of the parties in difference may (before ejectment or action of trespass brought,) refer the question in difference to the nearest magistrate, who is hereby authorized to proceed in a summary way to restore the possession of any land in dispute to the person whom he may deem entitled to the same, and to abate all intrusions, and award and levy such costs and damages as he may think fit.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this fourth day of January, A.D. one thousand eight hundred and sixty, and in the twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG, Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No. 36.

No. 36.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 8.)

Victoria, Vancouver's Island, January 24, 1860.

MY LORD DUKE,

(Received March 13, 1860).

I HAVE the honour of transmitting herewith for your Grace's information the copy of report from Mr. Ball, Assistant Gold Commissioner for the district of Lytton, on the state and prospects of the gold regions of British Columbia, situated in the valley of Fraser's River and its tributary streams, between Lytton and Quesnel River.

2. Mr. Ball's report is a reliable source of information, and, compared with the accounts of adventurers who have mined in that part of the country, moderate in the description of its auriferous wealth.

3. The extent of country over which the "Blue Lead" of Quesnel's River has been

traced exceeds 300 square miles, and should it be continuous, as it has proved equally rich wherever struck, its wealth must be fabulous.

4. A detachment of thirty Chinese miners arrived yesterday, being it is supposed the pioneers of a large immigration of that people for British Columbia.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 36.

Encl. in No. 36.

Sir,

Lytton, December 18, 1859.

IN compliance with the wish expressed in your letter of the 1st October I have the honour to forward you my remarks on the diggings of my own district, and as much information respecting the new discoveries of the upper country in the neighbourhood of Fort Alexandria, as I could gather from those who have lately returned from those parts.

The discoveries of gold in this district have this season extended from the banks of the Fraser's river to the flats or benches situated above high water mark, many of which have produced richer claims than on the banks, averaging on those flats where water can be brought to work with sluices from 8 to 12 dollars a man per day, and possessing an advantage over river claims, inasmuch as they can be worked from the commencement of spring until the fall of the year uninfluenced by the rise or fall of the main stream.

These discoveries have given more confidence to the miners, many of whom were under the impression that the gold existed only on the bars, below high water mark, and in the bed of the river, and consequently seeing their mistake have been induced to prospect the different benches, so that next season I have no doubt the second and even the third benches on the river will prove to be equally rich, and be worked advantageously; the great drawback to their being thoroughly and properly worked at present being the large amount of capital required to bring the water by flumes and ditches from the mountain creeks on to the different benches, the difficulty and expense increasing in proportion to the height of the flats from the river.

The discoveries on Thompson River are as yet but few, though from the nature and features of the banks of this river being similar to those of the Fraser (as the population increases) I have no doubt that these benches will be worked proving as rich as many of those on the Fraser River, and afford a large field for mining operations. Those miners who already have worked there and possess claims are about to return to them next season, and their return will I hope induce many others to accompany them. In the neighbourhood of Thompson River there are many parts, which from my own personal observation, I have no doubt will prove auriferous, and at the same time recompense those who may take up claims (the country being intersected by the Nicholas and Bonaparte Rivers), on both of which gold has been discovered; and when these rivers are carefully and properly prospected, from the nature and appearance of the country in comparison with other auriferous districts, many good claims will eventually be discovered.

I am happy to inform your Excellency that the prospects and reports from the upper country are most favourable, and (although at present all mining operations are suspended, on account of the cold weather) many have been induced to winter in that district with a view of working on the different rivers and creeks, at the lowest stage of water in the spring; and all who have lately returned through this district to proceed to California or winter below, intend to come back and work in the newly discovered district, the appearance of which, from the opinion of experienced California miners, presents a greater similarity to the rich districts of California than any part as yet discovered. The richest discoveries have been made in a creek called Horsefly Creek, situated about 60 miles to the east of Fort Alexandria, and running into a lake at the head of one of the branches of the "Quesnel"* River. On this creek a party of five miners, in one week, with only two rockers, took out 101 ounces of gold, and were then obliged to abandon the claim on account of the severity of the cold weather. These and other discoveries nearly as rich, and the general appearance of that part of the country, have satisfied many experienced California miners, that the country is rich in gold, and that as it has been found in the beds of the creeks, on the banks and benches, and even in the different gulches, there is a rich deposit in some part of the district, and it is supposed that it will principally be found on this "Horse Fly Creek," and in the neighbourhood of the Forks of the Quesnel River, as it is there that some miners have struck the "Blue Lead" (a rich deposit of gold so well known in California), and which in this country presents all the same indications of a rich stratum, extending in a direction nearly north and south across this "Horse Fly Creek," with a lateral extent of nearly ten miles.

This blue lead has already been traced a distance of 30 miles, and where occasional shafts were sunk rich prospects were obtained, the first gold stratum lying at a depth of 25 feet from the surface, and all the indications of the upper strata being similar to those of the "Blue Lead" of California.

From the information I have been able to gather from those who have prospected that part of the country I am satisfied there is a large extent of auriferous country, but the severity of the winters make the season for mining operations at present very short, though the expectation of all is, that the richness of the claims will compensate for the shortness of the season.

A good trail to the upper country has been found from Lytton, joining the trail, (hitherto travelled via the Fountain and Pavilion) at a point on Chapeau River about 40 miles from Lytton, and making the distance to Fort Alexandria about the same as from Cayoosh, and with the advantage of a better trail.

* Named after the discoverer, a French Canadian.

BRITISH
COLUMBIA.

The only impediment on this new trail is a quantity of fallen timber, but the storekeepers, and others interested are, I believe, about to subscribe a sum of money to pay for making the trail practicable for pack animals.

From the favourable reports brought down from above, I am in hopes a large immigration will ensue, as the country needs but population to develop its resources and richness, and the nature of the country on the trail from Lytton to Alexandria will, I hope, be an inducement for many to settle down as agriculturists.

His Excellency
the Governor of British Columbia.

I have, &c.
(Signed) HENRY M. BALL,
J.P., and Assistant Gold Commissioner.

No. 37.

No. 37.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 9.)

Victoria, Vancouver's Island, January 24, 1860.

MY LORD DUKE,

(Received March 13, 1860.)

* Page 101.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 22,* of the 19th September, and in reference thereto to express my satisfaction at hearing that Her Majesty's Government had sanctioned the establishment of an assay office in British Columbia, in consequence of suggestions contained in several of my despatches.

2. My opinion still remains unaltered, that it is a measure that will prove in many respects of great advantage to the colony.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 38.

No. 38.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 10.)

Victoria, Vancouver's Island, January 25, 1860.

MY LORD DUKE,

(Received March 13, 1860.)

† Page 102.

I HAVE duly received your Grace's Despatch, No. 27,† of the 29th September, on the subject of establishing an assay office in British Columbia, and transmitting for my information copy of a correspondence between the Treasury and the Colonial Office, showing the arrangements which it is intended to adopt for carrying the measure into operation.

2. I have the honour to inform your Grace that it is my intention to proceed with the erection of the necessary buildings, furnaces, &c., &c., as soon as I am furnished with plans of the same.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 39.

No. 39.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 11.)

Victoria, Vancouver's Island, January 25, 1860.

MY LORD DUKE,

(Received March 13, 1860.)

‡ Page 105.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch of the 21st October, No. 32,‡ informing me that the Master of the Mint has been authorized to carry into effect arrangements for the establishment of an assay office in British Columbia, and enclosing copy of a letter from the Treasury with an annexure, stating that Mr. Bacon and Mr. Hitchcock had been engaged as melters.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 40.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

BRITISH
COLUMBIA,
No. 40.

Victoria, Vancouver's Island, January 26, 1860.

MY LORD DUKE,

(Received March 14, 1860.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch of the 5th* September last, upon the subject of the non-residence in the colony of British Columbia * Page 101. of the officers who have been appointed by the Crown to conduct its affairs.

2. I need scarcely say that, as a general principle, I fully agree with your Grace as to the advantages attending a residence in the Colony; but circumstances have, however, compelled me to retain hitherto at Victoria some of the principal officers of the Government of British Columbia, and I would long ere this have reported to your Grace my reasons for adopting such a measure, had I not been under the impression that the whole circumstances were well known and understood by Her Majesty's Government.

3. The day after the arrival of Mr. Begbie, the Judge, he accompanied me to British Columbia, and after his return to Victoria, he was of the greatest assistance to me in discharging the functions of Attorney-General, which office he kindly fulfilled with the concurrence of Her Majesty's Government. Since the arrival at Victoria of the Attorney-General, Mr. Begbie has passed long periods in, and has been on circuit over the greater portion of British Columbia, and his personal communications to me upon his return have been most valuable, and have assisted me materially in framing laws, and in adapting the general system of government to the actual requirements of the people. Mr. Begbie has but recently returned from an extended circuit, and I do not think that his absence from the Colony under existing circumstances has in any way proved injurious. Mr. Begbie is, however, on the point of proceeding to British Columbia, to take up his permanent residence there.

4. Your Grace is well aware that I constantly require the Colonial Secretary to be with me, and the same remark applies to the Attorney-General.

5. With regard to the Treasurer, it is probably more for the convenience of the service and for the benefit of the Colony of British Columbia, that he should at present, and probably for some little time to come, reside at Victoria; but I beg your Grace will receive my assurance that so soon as I am satisfied that his stay here is detrimental to the public service, I will instantly require him to proceed to British Columbia.

6. I do not presume to enter more fully into particulars, for the opinion I have given accords with that already expressed by your Grace in previous despatches, referring to the Colonial Secretary and to the Treasurer; and I doubt not your Grace will readily understand of what little assistance would the Attorney-General be unless he be near to me.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 41.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

No. 41.

(No. 15.)

Victoria, Vancouver's Island, January 27, 1860.

MY LORD DUKE,

(Received March 13, 1860.)

I HAVE the honour of transmitting herewith copy of a proclamation, issued on the 20th of January instant, authorizing the Chief Commissioner of Lands and Works to sell town and suburban lots, and agricultural lands, which have been offered for sale at public auction and remain unsold, at the upset price.

2. It was intended to convey such powers to the Commissioner of Lands and Works by the Proclamation regulating the sale of public land, which issued on the 14th day of February 1859, but it appearing doubtful whether the powers in question have been actually conveyed by that instrument, in consequence of the expression "Except as aforesaid" in the 4th clause of that Act, it was deemed advisable to remove the doubt, and to issue the present Proclamation.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.

Encl. in No. 41.

Enclosure in No. 41.

(No. 18.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its dependencies, Vice Admiral of the same, &c., &c.

WHEREAS by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland in conformity therewith, I, James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation, issued under the Public Seal of the said Colony, to make laws, institutions and ordinances, for the peace, order, and good government of the same.

And whereas it is expedient that town lots, suburban lots, and surveyed agricultural lands in British Columbia, which have been, or which hereafter may be offered for sale at public auction, and remain unsold, should be sold by private contract.

Now, therefore, I, James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, order, and enact as follows:—

The Chief Commissioner of Lands and Works for the time being for British Columbia, and all magistrates, Gold Commissioners, and Assistant Gold Commissioners, by the said Chief Commissioner authorized in writing in that behalf, may sell by private contract any of the lots and lands herein-after mentioned, at the prices and on the terms herein-after respectively stated, viz.:—

(a.) Town and suburban lots which have been or hereafter may be offered for sale at public auction, and remain unsold, at the upset price, and on the terms at and on which the same were offered for sale at such auction.

(b.) Agricultural lands surveyed by the Government Surveyor which may or shall have been offered for sale at public auction, and remain unsold, at ten shillings per acre, payable one half in cash at the time of sale, and the other half at the expiration of two years from such sale.

And the purchaser of any agricultural land aforesaid shall purchase, subject to such rights of way and water as may be hereafter declared by some writing under the hand of the Chief Commissioner of Lands and Works aforesaid.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this twentieth day of January, A.D. one thousand eight hundred and sixty, and in the twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS.

By his Excellency's command,
WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Despatches from the Secretary of State.

No. 1.

COPY of DESPATCH from Secretary the Right Hon. Sir E. B. LYTTON, Bart., M.P., to
Governor DOUGLAS, C.B.

BRITISH
COLUMBIA.
—
No. 1.

(No. 75.)

SIR,

Downing Street, June 3, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 136,* of the 12th April last, containing further reports on the general state of British Columbia, and forwarding for my inspection a nugget of gold which had been recently found at Bridge River. * Page 5.

I beg to thank you for your attention in sending me this interesting specimen of the metallic produce of the new Colony.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 2.

COPY of DESPATCH from Secretary the Right Hon. Sir E. B. LYTTON, Bart., M.P., to
Governor DOUGLAS, C.B.

No. 2.

(No. 76.)

SIR,

Downing Street, June 4, 1859.

I HAVE to acknowledge your Despatch No. 129,* of the 11th of April last, respecting the construction of the route by Harrison's River, and I have to express my satisfaction that you have been able to pay, from the revenues of the Colony, the entire cost of this undertaking. * Page 4.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 3.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

No. 3.

(No. 3.)

SIR,

Downing Street, June 30, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 137,* of the 12th April last, reporting a serious injury to the interests of British Columbia which is caused by the practices of certain American owners of steam-boats running on the Fraser River. * Page 7.

I have referred to the opinion of the Law Advisers of the Crown the question raised by you as to your power legally to withhold a British register from vessels becoming British under such circumstances as those described in your Despatch, and I transmit for your information and guidance a copy of the report which I have received from them on this subject.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 4.

BRITISH
COLUMBIA.

No. 4.

* Page 11.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 5.)

SIR,

Downing Street, July 4, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 154,* of the 14th of May, containing a report of the latest intelligence received from British Columbia.

I have to convey to you my thanks for the information which is supplied by your Despatch, as well as for your availing yourself of any chance opportunities of communicating to Her Majesty's Government the most recent intelligence respecting a Colony about which so much interest is felt in this country.

I have, &c.

(Signed) NEWCASTLE.

Governor Douglas, C.B.
&c. &c.

No. 5.

No. 5.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 9.)

SIR,

Downing Street, July 28, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 156,* of the 23rd of May last, respecting the system of land sales and mining licences.

I have little doubt that the Despatch from this office, No. 62,† of the 7th of May last, will have modified your views and practice as to deferred payments. On this subject I can do no more than express my concurrence in the views entertained by my predecessor.

I have, &c.

(Signed) NEWCASTLE.

Governor Douglas, C.B.
&c. &c.

No. 6.

No. 6.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 10.)

SIR,

Downing Street, August 5, 1859.

I HAVE had under my consideration your Despatch No. 39,* of the 30th November last, requesting instructions as to the disposal of convicts sentenced to transportation in British Columbia. In reply I have to inform you that no British Colony remains available for the reception of offenders sentenced to penal servitude or transportation in any places out of the United Kingdom, and that the only resource available for their punishment is imprisonment with hard labour in the country where their offences are committed.

I have, &c.

(Signed) NEWCASTLE.

Governor Douglas, C.B.
&c. &c.

No. 7.

No. 7.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 13.)

SIR,

Downing Street, August 29, 1859.

WITH reference to my predecessor's Despatch, No. 56, of the 28th of April, informing you that Her Majesty's Government were about to call for tenders for the conveyance of the mails between San Francisco and British Columbia, I have to acquaint you that on subsequent consideration it has been decided that the advantages which would be derived by the Colonies of British Columbia and Vancouver's Island would not prove equivalent to the large amount of subsidy that would be demanded for the establishment of this service. The same cause has precluded Her Majesty's Government from entertaining a proposal that had been submitted to them for carrying these mails through Canada and the Hudson's Bay Company's territory. I have therefore to instruct you to endeavour to secure the improvements in the existing service which you pointed out as desirable in your Despatch of the 16th November last,* which I trust will suffice

* Page 69.

to meet the requirements of the two Colonies till their progress and increasing importance shall ensure more advantageous proposals.

I have to add that the Postmaster General has obtained the permission of the United States Post Office to forward the correspondence for Vancouver's Island and British Columbia in closed mails, addressed to Her Majesty's Consul at San Francisco, who will forward them by the first eligible opportunity to their destination.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 8.

No. 8.

COPY OF DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.,

(No. 14.)

SIR,

Downing Street, September 5, 1859.

I SEND you an Act passed in the recent Session of Parliament "to make further provision for the regulation of the trade with the Indians, and for the administration of justice in the North-western territories of America."

The Act applies, as you will perceive, to the territories over which the Hudson's Bay Company recently enjoyed a licence of trade, excluding both the charter territories and also British Columbia. It has been considered necessary by Her Majesty's Government and by Parliament that provisions to this effect should be made in order to enable the Crown to take measures for establishing order in the administration of the executive, and in the conduct of trade in those vast regions, in case any urgent reason for doing so should arise; but Her Majesty's Government have not any immediate intention of advising Her Majesty to exercise the powers given Her by this Act.

I should, however, be glad to receive from you at your convenience a report as to the persons whom you may consider eligible for magistrates in these North-western territories, with which your long service under the Hudson's Bay Company has made you to some extent familiar; and also as to any regulations for the conduct of the Indian trade which your experience may lead you to consider advisable.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Enclosure in No. 8.

Encl. in No. 8.

ANNO VICESIMO SECUNDO & VICESIMO TERTIO VICTORIE REGINE.
CAP. XXVI.

AN ACT to make further Provision for the Regulation of the Trade with the Indians, and for the Administration of Justice in the North-western Territories of America. [13th August 1859.]

WHEREAS an Act was passed in the Forty-third year of King George the Third (chapter one hundred and thirty-eight), "for extending the jurisdiction of the Courts of Justice in the Provinces of Lower and Upper Canada to the trial and punishment of persons guilty of crimes and offences within certain parts of North America adjoining to the said provinces," and an Act was passed in the Session holden in the first and second years of King George the Fourth (chapter sixty-six), "for regulating the fur trade, and for establishing a criminal and civil jurisdiction within certain parts of North America;" and by the firstly herein-mentioned Act it was enacted, that all Offences committed within any of the Indian territories or parts of America not within the limits of either of the Provinces of Lower or Upper Canada, or of any civil government of the United States of America, should be and be deemed to be offences of the same nature, and should be tried in the same manner, and subject to the same punishment, as if the same had been committed within the Provinces of Lower or Upper Canada; and by the secondly herein-mentioned Act it was enacted, that it should be lawful for His Majesty, if He should deem it convenient so to do, to issue a commission or commissions to any person or persons to be and act as justices of the peace within such parts of America as aforesaid; and it was also enacted, that it should be lawful for His Majesty, by Commission under the Great Seal, to authorize and empower such persons so appointed justices to sit and hold Courts of Record for the trial of criminal offences and misdemeanors, and also of civil causes: And whereas no Courts of Record have been established or authorized as aforesaid, and it is expedient to make further provision for the administration of justice in criminal cases in the said Indian territories, and such other parts as aforesaid of America, and also to make provision for better regulating trade with the Indians in the territories and parts aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. It shall be lawful for Her Majesty, by the commission by which any Justices of the Peace are appointed under the said Act of King George the Fourth, or by any subsequent commission, or by any Order in Council, from time to time to authorize any such justice or justices to take cognizance of and try in a summary way all crimes, misdemeanors, and offences whatsoever, except as herein-after men-

43 G. 3. c. 138.

1 & 2. G. 4.
c. 66.

Justices of the
Peace in the
British American
Indian
Territories

BRITISH
COLUMBIA.

authorized to try offences summarily, and punish by fine or imprisonment.

tioned, within the local limits of the jurisdiction of such justices (or such parts thereof as Her Majesty may direct in this behalf), and to punish such crimes, misdemeanors, and offences by fine or imprisonment, or both; and it shall be lawful for Her Majesty, in manner aforesaid, from time to time to restrict or regulate the exercise of such jurisdiction as She may think fit, and to direct in what cases the same may be exercised by one or by more than one of such justices, and generally to make such provision concerning the exercise of such jurisdiction as to Her Majesty may seem expedient; and it shall also be lawful for Her Majesty, in manner aforesaid, to order or authorize the appointment of all proper officers to act in aid of such justices; and the said justices respectively may do or cause to be done all acts, matters, and things for the execution of their sentences, and in aid of their jurisdiction under this Act, which might be done or caused to be done by Courts of Record having jurisdiction in the like cases: Provided always, that where the offence with which any person is charged before any such justice or justices is one which is punishable with death, or one which in the opinion of such justice or justices ought, either on account of the inadequacy of the punishment which such justice or justices can inflict, or for any other reason, to be made the subject of prosecution in the ordinary way, rather than to be disposed of summarily, such justice or justices shall commit the offender to safe custody, and cause him to be sent in such custody for trial to Upper Canada, as provided by the said Act of King George the Fourth, or, where such justice or justices may see fit, to the Colony of British Columbia; and such offender may be tried and dealt with by any Court constituted in British Columbia having cognizance of the like offences committed there, and such Court shall have the like powers and authorities for this purpose as under the said Acts are given to any Court in Canada in the like cases.

The power to establish courts of record not to be affected.

II. Provided, That nothing herein-before contained shall be taken to repeal or affect the provisions of the said Act of King George the Fourth concerning the establishment of Courts of Record in the said territories, and where such Courts are established any offenders within the limits of the jurisdiction thereof may be committed for trial to such Courts instead of the Courts of Canada or British Columbia.

Her Majesty, by Order in Council, may make regulations for the trade with the Indians.

III. It shall be lawful for Her Majesty, by and with the advice of Her Privy Council, from time to time to make such rules and regulations as She may deem expedient for the conduct of the trade with the Indians, and for diminishing or preventing the sale and distribution of spirits to the Indians, or for promoting their moral and religious improvement, to be in force in all or any portions of the territories mentioned in the said Act of King George the Fourth which may not be included in any grant or licence for the time being in force under that Act.

Hudson's Bay Company, British Columbia, and Vancouver's Island not affected.

IV. Nothing herein contained shall extend to the territories heretofore granted to the Company of Adventurers trading to Hudson's Bay; and nothing herein contained shall extend to the Colony of British Columbia, save as herein expressly provided, or to the Colony of Vancouver's Island.

No. 9.

No. 9.

Copy of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 15.)

SIR,

Downing Street, September 5, 1859.

* Page 31.

I HAVE received your Despatch No. 189,* of the 6th of July, transmitting for my approval and confirmation a return of the provisional appointments which you have made to offices in British Columbia between 1st January and 30th June 1859.

I am unable, in the absence of more full information than is supplied by your Despatch, to confirm these appointments. I cannot impress upon you too strongly the necessity of confining the expenditure of British Columbia within the limits of the revenue, and, in the present state of the finances of the Colony, of maintaining its establishments on the most economical scale, consistent with due regard to the proper administration of the Government, and the preservation of order in the country. At the present moment, when the efflux of population from the Colony is great and constant, I cannot feel satisfied of the necessity for the creation of so large a number of new appointments, involving an additional annual charge of nearly 3,000*l.* on its resources.

I have, therefore, to instruct you to furnish me with a return of the whole civil establishment of British Columbia, distinguishing the appointments that have been sanctioned by the Secretary of State, and affording me a full explanation of the grounds for the creation of those which you have provisionally established, and of the nature and extent of the duties attached to them. Pending the receipt of this report I am compelled to withhold my confirmation of the appointments in the list that accompanies your Despatch, for the creation of which the sanction of the Secretary of State has not been previously given.

I have also to instruct you to transmit to the Secretary of State, in future, quarterly returns, in the form of which I annex a copy, of all changes in offices, or new appointments in the Colony.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 10.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 16.)

BRITISH
COLUMBIA.

No. 10.

SIR,

Downing Street, September 5, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 167,* of the 8th June, and to thank you for the general information it contains as to the state of British Columbia. I have also to request that you will convey to Mr. Justice Begbie the expression of my thanks for the very full and interesting account of his expedition up the country.

* Page 16.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE

No. 11.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

No. 11.

SIR,

Downing Street, September 5, 1859.

AMONG the many difficulties with which the organization of Government in British Columbia has to contend I cannot but think that the presence and residence in that colony of the several officers who have been appointed by the Crown to conduct its affairs is indispensable.

I have not received any special report from yourself on this subject; but from such information as I collect from other sources (subject to your better knowledge as to its correctness), it would appear that this essential duty is very much disregarded.

Being yourself Governor both of Vancouver's Island and British Columbia, you have necessarily a divided duty to perform; but the unavoidable absence which this occasions on your part cannot dispense with the closer attention of other British Columbian functionaries to their duties.

It is stated that the Judge, the Colonial Secretary, his assistant, the Attorney-general, and the Treasurer, are all at present residing in Vancouver's Island.

This state of things must be put an end to at once, and the gentlemen in question must be warned that they must repair with the least practicable delay to the scene of their duties, or, if they decline to do so, must at once resign their situations. I am aware that there may be difficulties in finding residences in a colony just commencing its existence; but these difficulties must be overcome, as they would by this time have been overcome, had not the close neighbourhood of the colony of Vancouver's Island afforded so easy a means of absenting themselves for the time from their posts.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 12.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

No. 12.

(No. 22.)

SIR,

Downing Street, September 19, 1859.

YOUR Despatches noted in the margin,* relating to the establishment of an assay office in British Columbia, have been considered by Her Majesty's Government, and a communication will be immediately addressed to the Master of the Mint regarding the arrangements necessary for giving effect to this design. Her Majesty's Government have not overlooked the objections which suggest themselves to the work of a refinery and assay being undertaken by a Government establishment; but in view of the example derived from the experience of California, and having regard to the advantages to the miners in ascertaining and realizing their treasure, as well as to the facilities which will be afforded in the collection of a revenue from an export duty on gold, Her Majesty's Government have given their sanction to the measure.

* No. 135,
April 11, 1859,
page 4;
No. 158,
May 25, 1859,
page 13.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

BRITISH
COLUMBIA.

No. 13.

No. 13.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 24.)

SIR,

Downing Street, September 23, 1859.

• Page 26.

I HAVE to acknowledge your Despatch No. 182,* of 2nd July last, in which you represent that the cost of the military force now stationed in British Columbia, with the heavy charge of colonial pay, is more than the finances of the Colony can at present bear, and urge on Her Majesty's Government the necessity of assuming some part of it.

From this Despatch, and from your other correspondence, I am not sure whether you clearly understand, that it was never the intention of Her Majesty's Government to throw the entire cost of this military force on the Colony. Their regimental pay is to be defrayed from Imperial funds.

But with regard to the colonial pay and allowances, I cannot depart from the instructions already given you by Sir E. B. Lytton, being confident that the resources of the Colony are such as will in all probability enable it to overcome existing difficulties, and provide for this portion of its expenditure within a reasonable time.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 14.

No. 14.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 27.)

SIR,

Downing Street, September 29, 1859.

• Page 101.

WITH reference to my Despatch No. 22,* of the 19th inst., acquainting you that Her Majesty's Government had sanctioned the establishment of an Assay Office in British Columbia, I transmit to you for your information, the copy of a correspondence between the Treasury and this department, showing the arrangements which it is intended to adopt for carrying this measure into operation.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Encl. in No. 14.

Enclosure in No. 14.

SIR,

Treasury Chambers, September 19, 1859.

WITH further reference to your letter of the 11th ultimo, I am directed by the Lords Commissioners of Her Majesty's Treasury to transmit herewith copy of a Report from the Master of the Mint on the subject of the establishment of a Government assay office and refinery in British Columbia, and I am to request that you will inform the Duke of Newcastle that the arrangements suggested by the Master of the Mint appear to my Lords to be judicious, and if his Grace should be of the same opinion, my Lords will authorize Mr. Graham to engage the services of the persons recommended by him, on the conditions proposed, and to provide the necessary stores, &c. Their Lordships consider that the best course to follow in regard to the preliminary expenses will be to advance the sum of 2,000*l.*, suggested by the Master of the Mint, out of the grant for British Columbia, on the understanding that the amount will be repaid from the colonial revenue.

H. Merivale, Esq., C.B.
&c. &c.

I have, &c.
(Signed) GEO. A. HAMILTON.

Sub-enclosure.

SIR,

Royal Mint, September 9, 1859.

WITH reference to your letter of the 30th ultimo, transmitting papers relative to the establishment of an assay office and refinery in British Columbia, and informing me that their Lordships were prepared to sanction the necessary proceedings for the establishment of a Government assay and refinery in British Columbia, and requesting me to report to their Lordships on the arrangements which should be adopted for the purpose, I beg to report accordingly as follows:—

From the success which has attended the assay and melting department at Sydney established by Government, it may reasonably be expected that such an establishment as that contemplated in British Columbia will be self-supporting from the first, and in a short time highly remunerative, for the income of the Sydney Mint last year was 15,000*l.*, and the whole expenses 12,000*l.*; the large revenue stated being entirely derived from fees on operations of melting and assaying executed for the public, while, as the yield of gold-fields of British Columbia appears to approach to if it does not already exceed that of the province of Victoria, the receipts are likely to be on a large scale. The superior intelligence and energy of the resident Superintendent are a further guarantee of the success of the undertaking. It is very necessary, however, to occupy the ground as soon as possible, and anticipate the erection of private refineries.

Captain Gosset, in a report dated 25th April 1859, which he addressed to the Acting Secretary of the Colony, suggests the following organization for the establishment, with the probable expenses for the first and second years:—

BRITISH
COLUMBIA.

	First Year.			Second Year.		
	£	s.	d.	£	s.	d.
One assaying officer - - - -	400	0	0	450	0	0
One smelting officer - - - -	400	0	0	450	0	0
Two assistants - - - -	500	0	0	600	0	0
One accountant clerk - - - -	300	0	0	350	0	0
Implements - - - -	1,000	0	0	100	0	0
Transit of party, stores - - - -	1,000	0	0	—		
Buildings - - - -	500	0	0	—		
	<hr/> £4,100 0 0			<hr/> £1,950 0 0		

This scheme appears to be the result of careful consideration, and I have no hesitation in recommending it to the favourable attention of their Lordships, slightly modified as follows:

	First Year.			Second Year.		
	£	s.	d.	£	s.	d.
One assayer - - - -	450	0	0	500	0	0
One assistant assayer - - - -	300	0	0	350	0	0
One melter (if obtainable) - - - -	450	0	0	500	0	0
One operative melter - - - -	250	0	0	300	0	0
One accountant clerk - - - -	300	0	0	350	0	0
Three months' half-pay to all the staff, calculated from day of appointment - - - -	218	15	0	—		
Stores sufficient for one year's consumption - - - -	1,000	0	0	100	0	0
Transit of party and stores (including 100% outfit and passage-money to each of four officers, and 70% to the operative melter) - - - -	800	0	0	—		
Buildings - - - -	500	0	0	—		
	<hr/> £4,268 15 0			<hr/> £2,100 0 0		

The persons appointed to be assured of their salaries for two years and a half, as proposed by Captain Gosset, the operative melter to be further allowed 50% for return passage-money if he chooses to return home after serving the time specified.

The great difficulty in carrying out the present scheme is the lowness of the salaries offered for professional services. At the Sydney mint the assayer is allowed 580% the first year, and 630% the second, and yet, with this larger salary, the greatest difficulty was experienced in finding a qualified person on the occurrence lately of a vacancy in the office. I am happy, however, to be able to inform you that no difficulty exists at present in filling up the offices of assayer and assistant assayer at the salaries which I have specified. It will also be possible I believe to obtain the services of a qualified operative melter; but great difficulty is experienced in finding a suitable person practically qualified to act as the head of this branch (as melter) for the salary offered. Such an officer is desirable to give weight and responsibility to the establishment, but not I believe indispensable. In the absence of a melter from the staff, one or both of the assayers may be instructed before embarking, so as to be able to conduct the melting department with the assistance of the operative melter.

The name of an accountant clerk has been suggested by Captain Gossett, Mr. Hiff, at present a clerk in the London and Westminster Bank, with whom I can communicate, and report upon his qualifications, if it is the pleasure of their Lordships.

As the assayers and melters will be fully occupied for at least two months in collecting and preparing (under proper supervision) the numerous implements, apparatus, and material required in their respective departments, the first step to be taken will be to nominate persons to these offices. In the pressing circumstances of the case, I may perhaps be allowed to submit at once the names of such officers as I have already selected, after full inquiry, for recommendation to their Lordships.

As assayer, Mr. Francis George Claudit. Mr. F. G. Claudit is 23 years of age. He is younger brother of Mr. Frederick Claudit, of Cannon Street, City, a professional assayer of eminence, and has been assistant to his brother for several years.

As assistant assayer, Mr. Frederick Henry Bousfield, 20 years of age, who has also been a junior assistant in Mr. Claudit's assay laboratory for the last three years. Both the gentlemen named have received a good scientific education, and are qualified to analyze ores, and act generally as analytical chemists, and if sent, will prove, I have no doubt, a valuable acquisition to the Colony.

Of the early completion of the staff, with or without a principal melter, I entertain no doubt.

It is desirable that funds should be immediately available to the extent of about 2,000% for the expenditure to be incurred for stores, outfit, and salary in this country. On the institution of the Sydney mint, the Master of the Mint was authorized to make the necessary advances for such purposes from the mint cash account, to be afterwards refunded by the Colonial Government. But the course to be pursued on the present occasion I must leave to the judgment of their Lordships.

It does not appear to me that any necessity exists for the exercise of a continued supervision by the Home Government of the projected assay office and refinery in British Columbia beyond the assistance, in its first establishment, proposed to be granted in this country.

The future management of the establishment may be safely left with the Colonial authorities.

I have, &c.

(Signed) THOS. GRAHAM.

BRITISH
COLUMBIA.

SIR,

Downing Street, September 30, 1859.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 19th instant, with its enclosure from the Master of the Mint, stating the arrangements which he would recommend in the establishment of a Government assay office and refinery in British Columbia.

I am desired to state that the Duke of Newcastle concurs in the suggestions of the Master of the Mint, and would request their Lordships to authorize their being at once carried into effect.

G. A. Hamilton, Esq.
&c. &c.

I am, &c. ⁵⁰
(Signed) H. MERIVALE.

No. 15.

No. 15.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 29.)

SIR,

Downing Street, October 20, 1859.

* Page 40.

I HAVE to acknowledge the receipt of your Despatch No. 206,* of the 18th of August last, forwarding a report lately received from Colonel Moody, of a reconnaissance of the Harrison and Tillooet route to the Upper Fraser, under the command of Lieutenant Palmer, R.E.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 16.

No. 16.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 30.)

SIR,

Downing Street, October 20, 1859.

* Page 32.

I HAVE to acknowledge the receipt of your Despatch No. 201,* of the 16th August last, enclosing the report of an overland journey of survey in the districts of British Columbia, bordered on the Thompson, Fraser, and Harrison Rivers, conducted by Lieutenant Richard Mayne of Her Majesty's ship "Plumper."

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 17.

No. 17.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 31.)

SIR,

Downing Street, October 21, 1859.

* Page 49.

I OBSERVE in your Despatch of the 23rd August, No. 207,* that you express your anxious wish for the arrival of the gun-boats promised for the service of British Columbia by my predecessor in his Despatch of the 10th† of last March.

† Vide Papers
presented
August 1859,
p. 81.

Having made inquiries of the Admiralty on this subject, I learn that the two gun-boats in question were despatched on the 28th of last August, that they sailed from St. Vincent on the 22nd ultimo, and that they were then bound to the River Plate, with orders to the Admiral on the station to send them on as soon as he could spare them.

The "Termagant" (screw frigate) was to accompany them; but I apprehend she was destined for the general service of the station.

I take this opportunity of apprizing you that Her Majesty's Government have ordered the "Topaze" and "Clio" to join the squadron on the north-west coast of America.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 18.

BRITISH
COLUMBIA.
No. 18.

COPY OF DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 32.)

SIR,

Downing Street, October 21, 1859.

WITH reference to my Despatch of the 29th September, No. 27,* on the subject of the establishment of an assay office and refinery in British Columbia, I have to inform you that the Master of the Mint has been authorized to carry into effect the arrangements which have been proposed for the accomplishment of this object. * Page 102.

I now enclose you the copy of a Letter from the Treasury, with an annexure, from which you will learn that Mr. Bacon and Mr. Hitchcock have been engaged as melters.

I have, &c.

Governor Douglas, C.B.
&c. &c.

(Signed) NEWCASTLE.

No. 19.

No. 19.

COPY OF DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 33.)

SIR,

Downing Street, October 28, 1859.

(Answered, No. 27, February 25, 1860.)

I HAVE to thank you for your Despatch of the 23rd August, No. 207,* reporting upon the state of British Columbia down to that date. There is much in that report which affords satisfactory evidence of the value of this Colony as a British possession ; but it is impossible to peruse your Despatch without being struck with the little progress which has been made in the communications into the interior. * Page 49.

From the large expenditure incurred on account of the Harrison Liloett road, and the zeal which was so early manifested in the Colony for its formation, Her Majesty's Government were led to suppose that a route would be opened for the miners, which would considerably abridge the distance in reaching the scene of their labours, and facilitate the transport to them of the means of subsistence. I now learn that this work is being faintly prosecuted by the Royal Engineers, under the command of Captain Grant ; that funds to the extent of 30,000*l.* are needed for its completion, besides, as you inform me, " the helping hand of Government on all sides." You throw out a suggestion that this pecuniary assistance could be easily raised by way of loan, either in England or in Vancouver's Island, provided its payment were guaranteed by Parliament. I think it right to lose no time in disabusing you of the impression you allow yourself to entertain that the Imperial Parliament could be recommended to take the course you wish. Both Parliament and the English public claim from British Columbia an energetic development of the great natural resources with which it is endowed.

The admonitions which have been so ably and so frequently proffered by my predecessor, that British Columbia should look to her own exertions for success, must not pass unheeded, but a practical exemplification of that advice must be exhibited. Her Majesty's Government have applied to Parliament already for advances in aid of the Colony to an extent which shows that no reasonable demands have been refused when proved to exist ; but this assistance must not be drawn into a precedent to be followed on all occasions, nor lead you, or the inhabitants of the Colony, to expect that this country shall supply you with the means of developing those resources, which it is your duty to make the most of yourselves. I am explicit with you on this point, and wish you to understand that Her Majesty's present Government, sharing completely the sentiments of the late Government in respect to British Columbia, cannot venture to ask Parliament for any such guarantee as you desire.

2. You have on many occasions adverted to your intention of levying an export duty on gold ; but as no report has reached this office of your having done so, I conclude that impediments have arisen to frustrate this very necessary measure. Now, however, that it has been determined to set up a Government assay office in the Colony, you will lose no time in resorting to the expedient for which you have pressed Her Majesty's Government to give you such facilities as are requisite.

3. I am glad to hear that the miners have been so successful in their pursuits on the Thompson and Quennel Rivers. I wish it were in my power to assist them in regard to banks of deposit. But these conveniences of a highly civilized state of society will accompany wealth by degrees, and can scarcely be looked for at so early a period of

BRITISH
COLUMBIA.

advancement as British Columbia has yet arrived at. Possibly some arrangements may be made with the Bank of British North America, which has the power and intention of carrying on banking business in Vancouver's Island and British Columbia.

4. The newspapers enclosed in your Despatch contained intelligence of a highly interesting nature, and I will thank you to send me more from time to time.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 20.

No. 20.

COPY of DESPATCH from the DUKE of NEWCASTLE to GOVERNOR DOUGLAS, C.B.

(No. 3.)

Downing Street, January 7, 1860.

SIR,

I TRANSMIT to you herewith the copy of a Letter which has been addressed to this Department by Captain Clarke, R.E., late Surveyor General of the Colony of Victoria, accompanied by a proposed scheme for the disposal of the Crown lands in British Columbia.

My attention is at present occupied in the consideration of the best means by which the country lands of the Colony can be made more readily available than is the case at present for occupation by agricultural settlers, and I shall be glad if in the meantime you will give your consideration to the scheme suggested by Captain Clarke, and will furnish me with the opinion which your experience and local knowledge may lead you to form of its applicability to the circumstances of British Columbia.

Governor Douglas C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Encl. in No. 20.

Enclosure in No. 19.

MY DEAR SIR,

Army and Navy Club, Monday.

I SEND you a report on the British Columbian Papers, and which I now return.

I have written this report in the form of a proposed Order in Council, under the second section of the Act of 1858, providing for the government of British Columbia, explaining each section as proposed.

I am aware that I have gone far beyond the intention with which these papers were sent me, but I found in reading them so many points suggesting themselves, as well as the difficulty of explaining an isolated portion of a system, that I have been rather forced to write more than was perhaps necessary.

Even as it is, I almost fear that I have failed to explain clearly a system which, if it is adopted in British Columbia, will effectually secure its settlement without, on the one hand, playing too much into the hands of the Americans, or on the other, checking immigration from any quarter.

As I believe that but little time ought to be lost to give to British Columbia a clearly defined land system—whatever system may be adopted—I have sent the report as first written. This, and as most of last week I was engaged in Colchester, will I trust plead for me for the very imperfect shape I send this report.

The Under Secretary of State.

Believe me, &c.

A. CLARKE.

Sub-enclosure.

CHAPTER

SECTION . Alienation of Crown lands to be by sale at public auction as hereafter described.

SECTION . Excepting from above provision country lands once or oftener submitted for sale at auction, and not bought, which may be purchased by contracts with Governors or officers named to receive purchase-money; also lands required for the purposes of Government, either general or municipal, or held under public trusts, where trustees are named or approved by executive Government, or incorporated in legislative acts; also with respect to engagements made by the Crown to naval and military settlers.

SECTION . Province to be divided into counties, hundreds, and parishes.

SECTION . Lands to be distinguished into town and country lots.

SECTION . Authority to Governor to convey.

SECTION . No lands to be alienated or conveyed till surveyed and limits marked on public charts and boundaries, &c. described in registers.

SECTION . No grant to cover alienation of more than one square mile, or 640 acres, or no greater area to be offered at auction than said quantity in one lot.

SECTION . Lowest upset price to be five shillings per acre.

- SECTION . Upset price of town lots to be fixed by Governor in Council.
- SECTION . Town lots to be sold only at auction.
- SECTION . Power to Governor in Council, in case of country lands, the probable value of which is enhanced by circumstances, to raise upset price to approximate value.
- SECTION . All lands (town and country) put up to auction at prices respectively stated in schedule of sale, will be declared to be purchased by the bidder of the upset price, or the highest bidder above it, provided he shall pay down then and there the whole amount of purchase money, or a deposit of 25 per cent. on the amount of purchase money, the remainder to be paid within 60 days from date of sale.
- SECTION . Purchaser to sign sale book.
- SECTION . Should purchaser neglect to pay balance of purchase money within 60 days, the deposit of 25 per cent. will be forfeited, and the land, if classed as country land, be declared open for future purchase, either at auction, or as hereafter prescribed.
- SECTION . Country lands once offered for sale, and for which no offer has been made, or on which the deposit has been forfeited, may, at discretion of Governor in Council, be advertised as open for selection or purchase by private contract at prices affixed.
- SECTION . All applications for land to be purchased by selection, or private contract, to be made in writing, and purchase money deposited.
- SECTION . As far as practicable, all lands to be sold in or near site of such lands.
- SECTION . All lands open for selection or purchase by private contract should, for twelve months after date for first advertisement, be subject to selection only at the nearest Government office, or magisterial bench to site of such lands, and then subsequently only at the Chief Crown Land Office.
- SECTION . All contemporaneous or conflicting applications for same land to be determined at auction.
- SECTION . All lands to be sold by auction, or otherwise, to be advertised at least 30 days before time or date of sale.
- SECTION . All lands sold to be described with purchaser's name attached, and advertised within reasonable time after date of sale.
- SECTION . Registers, with charts attached, describing such lot and subsequent history to be kept in Chief Crown Lands Office.
- SECTION . Beyond the limits of survey, or, in other words, beyond ten miles from the nearest lands surveyed, sold, or ready for sale, licences on application to the nearest bench of magistrates may be issued to persons desirous of selecting land for settlement and the immediate purpose of cultivation or other lawful occupation.
- SECTION . Such applications to be made in writing, setting forth description of ^{sic} selected, intention of occupation, and readiness to purchase land when offered for sale, or to relinquish it, if required for public purposes, or purchased by other or higher bidder.
- SECTION . Licence to issue for one year only: fresh application required for renewal.
- SECTION . Fee fixed on licence.
- SECTION . In granting this concession of sanctioning the occupation of land under annual licence liable to revocation at any time for public purposes, the Crown, desirous of protecting the property and industry of the licensee, will grant, in case of sale of land occupied, a full and fair valuation for improvements made on its land, such valuation to be attached to the upset price of land when offered for sale at auction, and to be paid down by any purchaser other than the licensee, should he not have been able to obtain the land.
- SECTION . Similar licences to issue for occupation of lands, limited in area, for business purposes, within the sites of proposed townships, or in and on gold-fields.
- SECTION . Same protection afforded licensees within towns, &c., as in country lands.

CHAPTER .

- SECTION . Without the boundaries of declared hundreds, land for depasturage of stock may be occupied under annual licence; amount of licence fee to be determined by capability of land; or, when two or more applicants wish for same land, the amount of licence to be determined at auction, in which case highest bidder to have right of renewal of depasturing licence for years. This licence, it being distinctly understood, to lapse when all or portion of land occupied under it be brought within a hundred, be applied for for purchase, or be occupied by miners working for gold, or for extended mining operations, or required for public purposes; in any of which cases proportionate amount of rent to be returned.
- SECTION . If land occupied for depasturage be sold during term of licence, or at expiration of licence, original licensee not receiving renewal at auction, or otherwise, valuation of improvements be allowed to outgoing licensee, to be paid by purchaser or incoming occupier.
- SECTION . Within the limits of proclaimed hundreds, depasturing licences to be issued to residents or purchasers of land within said hundreds.
- SECTION . Annual licences to be issued to persons to fell timber, remove stone, open brick-fields, &c.
- SECTION . On the site of probable townships, and on the gold-fields, where land for building, &c. has not been sold, business licences to be issued, annual, renewable; such licences not on renewal to be subject to auction.
- SECTION . Fees payable on said business licences to be in proportion to frontage to street or thoroughfare occupied, but under one license not to exceed feet.

CHAPTER .

- SECTION . Declaring undesirable to sell auriferous land, but when land sold gold in it conveyed to purchasers with soil, but subject to tax, duty, or royalty as other gold from Crown lands.
- SECTION . Annual licences to mine for gold on Crown lands to issue to individual miners.

BRITISH
COLUMBIA.

- SECTION . Leases of "worked-out" gold-fields, extended sluice washings, for puddling machines, quartz reefs, deep sinkings, to issue at a minimum upset price of per acre or per yard of reef.
- SECTION . Extent of claim regulated by local legislation.
- SECTION . Power to associated miners to divert course of streams, cut sluices, races, &c., &c.
- SECTION . Similar power for mills either for quartz crushing, sawing timber, &c., laying down tramways, rails, &c.

CHAPTER .

- SECTION . General rules regulating survey with regard to main roads, navigable waters, permanent streams, lakes, springs, general size and proportion of lots, &c.
- SECTION . Power reserved in grants for the Crown or its servants to open roads, &c., stating basis on which compensation should be given.
- SECTION . General power to justices of the peace to control mining operations when injurious to public.
- SECTION . Publication of the names of all licence holders, applications for land, &c., to be required.
- SECTION . Appropriation of revenue.
- SECTION . All lands sold or occupied liable to general or local rates.
- SECTION . General powers to Governor in Council to alter, amend, and give effect to, &c., as long as not repugnant to general tenor of these orders.
- SECTION . All licences to issue from open bench in certain cases. Bench to obtain approval of Governor.
- SECTION . Conviction before bench or higher court, licence to be forfeit.
- SECTION . Appeal to Governor in Council from above.
- SECTION . Justices to be Commissioners to give effect to these orders.

No. 21.

No. 21.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 9.)

SIR,

Downing Street, February 18, 1860.

* Page 69.

I HAVE had the honour to receive your Despatch No. 231,* of the 10th of November, acknowledging some Despatches from my predecessor, on the disposal of land in British Columbia. No practical question is raised by this communication, and it is unnecessary for me to enter further into the particular question to which it relates.

† Page 106.

But I may take the present opportunity of cautioning you (although the caution is perhaps unnecessary), that in transmitting to you in my recent Despatch No. 3,† of the 7th of January, Capt. Clarke's scheme for the disposal of lands, you are not to suppose me to have done so as a preliminary towards carrying such a scheme into execution by the instrumentality of an Order of Her Majesty in Council. I think that the subject is not one fit to be dealt with by that authority, and that any attempt to frame in this country regulations entering so much into detail would be misplaced. My object was merely to put you in possession of the views of a gentleman of great ability, who formerly occupied a high position in Australia, and enjoyed the confidence of the colonists, upon the best means of meeting difficulties such as he had himself encountered in administering the affairs of a rapidly growing Colony, in order that you might have the benefit of his experience. You will be able to judge for yourself how far the principles embodied in his scheme would be of any assistance to you in British Columbia, subject of course, in case you approve those principles, to all the modifications of detail which the difference of local circumstances might require.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 22.

No. 22.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 12.)

SIR,

Downing Street, February 28, 1860.

* Page 78.

I HAVE to acknowledge the receipt of your Despatch No. 241,* of the 23rd December, enclosing a copy of a letter from Colonel Moody relative to the portions of land which it may be desirable to reserve in Burnard's Inlet for naval purposes.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 23.

BRITISH
COLUMBIA.
No. 23.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 17.)

SIR,

Downing Street, April 16, 1860.

I HAVE to acknowledge the receipt of your Despatch No. 218,* of the 13th of September, enclosing copies of the following Proclamations issued by you for the Colony of British Columbia, viz.—

No. 7. Proclamation dated 15th May 1859, for the naturalization of aliens.

No. 8. Proclamation dated 19th May 1859, respecting oaths.

No. 9. Proclamation dated 2nd June 1859, altering in some respects the Act for levying duties of Customs on imports into British Columbia.

No. 10. Proclamation dated 15th June 1859, imposing tonnage, pilotage, and harbour dues at the port of New Westminster.

No. 11. Proclamation dated 25th June 1859, amending the preceding Proclamation.

No. 12. Proclamation dated 10th August 1859, amending the law relating to the licences for selling spirits, &c., and for other purposes.

No. 13. Proclamation dated 31st August 1859, entitled the Gold-fields Act.

On the subject of the Proclamation for the naturalization of aliens I shall address you in a separate Despatch. The remaining Proclamations have been submitted for the sanction of the Queen, and they have been laid before Parliament in compliance with the provisions of the Act 21 & 22 Vict. Cap. XCIX.

I transmit herewith extract of a report by the Law Advisers of this Department, respecting the form of these Proclamations, and I shall be glad if you will cause the suggestions therein contained to be followed in the preparation of future enactments.

I have, &c.

Governor Douglas, C.B.

(Signed) NEWCASTLE.

&c. &c.

No. 24.

No. 24.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 18.)

SIR,

Downing Street, April 16, 1860.

I HAVE had under my consideration the Proclamation issued by you for British Columbia, on the 15th of May last, for the naturalization of aliens, of which a copy was transmitted to me with your Despatch No. 218,* of the 13th of September.

This Proclamation (which you appear to have framed after the model of the law of Canada), provides that every alien who has resided in the Colony for three years may demand naturalization, on producing a declaration of his residence and character from some British subject, on making himself a declaration of residence, and on taking the oath of allegiance. The latter declaration must be made, and oath taken before a Justice of the Peace, who is to declare that he knows no reason why the applicant should not be naturalized. These conditions being fulfilled, the Court of British Columbia is to record the proceedings, and the alien is to be deemed a British subject for all purposes whatever, "while within the Colony of British Columbia." The naturalization may be annulled, if any party to either of the above declarations is convicted of perjury therein. But the Court is not entitled, as a matter of course, to examine into the truth of the documents which it records.

The certificate from a British subject is thus merely nugatory, since in every community individuals will be found who will sign it without any knowledge of its truth.

Under this law, it would apparently be in the power of a fugitive American felon, by an easy fraud, to obtain all the rights of a British subject, and to qualify himself, so far as nationality is concerned, for any office in British Columbia, or a place in the Legislature as soon as such a body shall exist.

I am desirous that every facility should be given for acquiring the character of a British subject, but a certain amount of *bonâ fide* residence and respectability ought to be required as a condition of naturalization. It appears to me desirable, if it be practicable, that the Court of British Columbia, or some special officer designated for the purpose, should be empowered to require proof, satisfactory to such Court or officer, of the required residence, and of the respectable character of the applicant for naturalization, and that, as

*Page 51.

BRITISH
COLUMBIA.

a guide to the decision on this point, persons having been convicted of treason, felony, rape, forgery, or any other infamous crime, should be disqualified from naturalization.

I am willing, however, to leave this question to your discretion and local knowledge, and I do not propose to interfere with the operation of the Act in its present form. I have accordingly submitted the Proclamation for the sanction of Her Majesty, and it has been laid before Parliament with the other Proclamations issued by you.

As a matter of language, the 4th clause should give the alien the rights of a British subject "within," not *while* "within," the said Colony of British Columbia. The effect of introducing the word "while" would be (if the provision were valid), (1), that the naturalized persons "while" within British Columbia would have the rights of a British subject elsewhere, (a privilege which the Colonial Legislature cannot confer; and (2), that while absent from the Colony his rights of holding property within it would be dormant (which is not intended). The word "while" therefore should be omitted.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

BRITISH COLUMBIA.

FURTHER PAPERS

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART III.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty
1860.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY,
FOR HER MAJESTY'S STATIONERY OFFICE.

1860.

BRITISH COLUMBIA.

Clipping

FURTHER PAPERS

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART IV.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR.

Presented to both Houses of Parliament by Command of Her Majesty.
March 1862.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1862.

[Price 3s.]

4
BRITISH COLUMBIA.

FURTHER PAPERS

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART IV.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR.

Presented to both Houses of Parliament by Command of Her Majesty,
March 1862.



LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

THE HISTORY OF THE

REIGN OF

GEORGE THE THIRD

DESPATCHES FROM THE GOVERNOR	-	-	-	-	Page
DESPATCHES FROM THE SECRETARY OF STATE	-	-	-	-	1
APPENDIX -	-	-	-	-	66
	-	-	-	-	70

THE HISTORY OF THE REIGN OF GEORGE THE THIRD

THE HISTORY OF THE REIGN OF GEORGE THE THIRD

SCHEDULE.

DESPATCHES FROM THE GOVERNOR.

Number in Series.	Date and Number.	SUBJECT.	Page.
1	17 Feb. 1860 (No. 24.)	FREE GRANTS OF LAND TO ORDAINED CLERGYMEN, relative to - - - - -	1
2	18 Feb. 1860 (No. 25.)	STATE OF THE CHIMSYAN INDIANS. Transmitting correspondence between the Rev. Edw. Cridge and Mr. Wm. Duncan relative to the foundation of a Missionary Settlement for Indian Converts, and proposing the reservation of several hundred acres of land to enable Mr. Duncan to carry this object into effect - - - - -	2
3	23 April 1860 (No. 42.)	GENERAL REPORT ON THE STATE OF THE COLONY. Water and road communication. Proposed road from Yale to Lytton. State of Mining Districts. Influx of Chinese -	4
4	23 May 1860 (Separate.)	GENERAL REPORT ON THE CITY OF NEW WEST- MINSTER. The inhabitants desire the incorporation of the town, the right of taxing themselves, and applying the proceeds to grading the streets, and to the general improvement of the town. Observations on the Land system - - - - -	6
5	31 May 1860 (Separate.)	GENERAL REPORT OF THE STATE OF THE COLONY. Visit to Pitt Lake. Growing attachment of the alien population to the institutions of the country. Map illustrating route en- closed - - - - -	8
6	5 June 1860 (Separate.)	GENERAL REPORT ON THE STATE OF THE COUNTRY IN THE NEIGHBOURHOOD OF HOPE. Encloses a Return exhibiting the average number of miners employed on the several bars of the Hope District, with their average earnings - - - - -	9
7	6 July 1860 (Separate.)	GENERAL REPORT ON YALE. States that he had conferred with the inhabitants, with a view to the improvement of the trail leading from Yale to Lytton, with the object of reducing the expense of transport - - - - -	11
8	3 Aug. 1860 (No. 70.)	FIRST REPORT OF MINERS SENT FROM HOPE TO EXPLORE THE GOLD FIELDS AT SHIMILKOMEEN -	13
9	4 Aug. 1860 (No. 72.)	FREE GRANTS OF LAND TO THE CLERGY, relative to. Requests authority to substitute a money equivalent out of the Colonial Revenue, or to make some other provision for the support of the clergy of the English, Roman, Presbyterian, and Methodist churches - - - - -	14
10	4 Aug. 1860 (No. 74.)	PROCLAMATION. "THE NEW WESTMINSTER MUNI- CIPAL COUNCIL ACT, 1860," transmitted, with explanatory remarks - - - - -	15
11	16 Aug. 1860 (No. 76.)	DISCOVERY OF GOLD FIELDS AT ROCK CREEK IN THE SHIMILKOMEEN COUNTRY, AND OF SILVER AT UNION BAR NEAR FORT HOPE. Ap- pointment of Mr. Nind as Assistant Gold Commissioner -	20
12	8 Oct. 1860 (No. 86.)	RETURN FROM A TOUR IN BRITISH COLUMBIA, reported. Peace and order existed throughout the Colony. Ap- pointment of Gold Commissioner at Rock Creek - - - - -	21

SCHEDULE.

Number in Series.	Date and Number.	SUBJECT.	Page.
13	9 Oct. 1860 (Separate.)	GENERAL REPORT ON THE STATE OF THE COLONY. Address of the Grand Jury enclosed - - -	22
14	25 Oct. 1860 (Separate.)	GENERAL REPORT ON THE STATE OF THE COLONY. Elucidating the present state of the country, its natural capabilities, and the effect of its institutions on the development of its resources. Encloses report of massacre of an Immigrant train by the Snake Indians - - -	27
15	9 Nov. 1860 (No. 95.)	REPORT BY DR. FORBES OF H.M.S. "TOPAZE" OF THE COUNTRY BORDERING ON HARRISON LAKE AND RIVER, WITH REFERENCE TO ITS MINERAL CHARACTER, enclosed. The whole region he believes to be metalliferous, and the greater portion argentiferous. Map of geological sections enclosed - - -	32
16	28 Nov. 1860 (No. 100.)	GENERAL REPORT ON THE STATE OF THE COLONY. List of prices at Alexandria enclosed - - -	40
17	26 Jan. 1861 (No. 7.)	ABSTRACT OF APPROXIMATE REVENUE AND EXPENDITURE FOR THE YEAR ENDING 31st DECEMBER 1860, transmitted. Revenue, 53,011 <i>l.</i> 10 <i>s.</i> 1 <i>d.</i> Expenditure, 44,124 <i>l.</i> 10 <i>s.</i> 3 <i>d.</i> - - -	43
18	28 Feb. 1861 (Separate.)	GENERAL REPORT ON THE STATE OF THE COLONY. Encloses prices of provisions at Hope, Shimilkomeen District, Yale, and Rock Creek respectively - - -	45
19	2 May 1861 (No. 33.)	GOLD DISCOVERIES AT OKANAGAN LAKE AND ANTLER CREEK reported. Also transmitting Reports by Mr. Cox of Messrs. Beam & Co.'s tour to the Okanagan Lake, and Mr. Nind's report of the discoveries at Antler Creek, with a sketch of the new Gold Field - - -	49
20	4 June 1861 (Separate.)	GENERAL REPORT OF THE STATE AND PROSPECTS OF THE COUNTRY - - -	52
21	16 July 1861 (Separate.)	FURTHER GENERAL REPORT. Peace and good order prevail throughout the Colony. Explanatory map enclosed -	54
22	11 Sept. 1861 (No. 55.)	REVENUE AND EXPENDITURE. Abstract of actual revenue and expenditure for the year 1860, transmitted -	56
23	16 Sept. 1861 (Separate.)	{ GENERAL REPORTS ON THE STATE AND PROSPECTS OF THE COLONY. Transmits accounts of the extraordinary yield of gold in the Cariboo District - - -	{ 57 59
24	24 Oct. 1861 (Separate.)		
25	14 Nov. 1861 (No. 67.)	CURRENCY. Reporting the want of a circulating medium, and stating the means he had adopted for the issue of gold pieces bearing a certain value - - -	62
26	30 Nov. 1861 (No. 74.)	ESTIMATES FOR THE YEAR 1862, transmitted -	63

DESPATCHES FROM THE SECRETARY OF STATE.

1	19 May 1860 (No. 26.)	FREE GRANTS OF LAND TO ORDAINED CLERGYMEN. States reasons for not sanctioning the grants of land proposed in Governor's Despatch, No. 24, of 17th Feb. - - -	66
2	25 May 1860 (No. 27.)	STATE OF THE CHIMSYAN INDIANS. Authorizing the reservation of land in the neighbourhood of Fort Simpson for the formation of a settlement for Indian Converts to Christianity	66
3	26 June 1860 (No. 36.)	GENERAL REPORT ON THE STATE OF THE COLONY. Acknowledging Governor's Despatch, No. 42, of 23rd April -	67
4	19 July 1860 (No. 42.)	GENERAL REPORT ON THE CITY OF NEW WESTMINSTER. Acknowledging Governor's Despatch of 23rd May	67

SCHEDULE.

v

Number in Series.	Date and Number.	SUBJECT.	Page.
5	26 Oct. 1860 (No. 56.)	FREE GRANTS OF LAND TO THE CLERGY. Sanctions pecuniary assistance to the Clergy from Colonial funds on certain specified stipulations - - - - -	67
6	1 Feb. 1861 (No. 66.)	GENERAL REPORTS ON THE STATE OF THE COLONY. Acknowledging with satisfaction the Governor's Despatches of the 9th and 25th October, and 9th November, exhibiting the agricultural and mineral resources of the country - -	68
7	13 April 1861 (No. 74.)	ABSTRACT OF APPROXIMATE REVENUE AND EXPENDITURE FOR THE YEAR ENDING 31st DECEMBER, 1860. Acknowledging with satisfaction Governor's Despatch No. 7, transmitting a statement of Revenue and Expenditure - - - - -	68
8	9 May 1861 (No. 77.)	PROTECTION OF THE SALMON FISHERIES. Encloses Memorandum by Mr. Ffennell, with copies of Correspondence on the subject - - - - -	68

APPENDIX.

PROCLAMATIONS HAVING THE FORCE OF LAW.

1	No. 23 - - -	THE CUSTOMS AMENDMENT ACT, 1860 - - -	70
2	No. 29 - - -	THE SOUTHERN BOUNDARY ACT, 1860 - - -	70
3	No. 30 - - -	THE COUNTRY LAND ACT, 1861 - - -	71
4	No. 31 - - -	THE PRE-EMPTION AMENDMENT ACT, 1861 - - -	72
5	No. 32 - - -	REMISSIONS ON THE PURCHASE OF LAND TO OFFICERS OF THE ARMY AND NAVY - - -	72
6	No. 35 - - -	THE PRE-EMPTION PURCHASE ACT, 1861 - - -	73
7	No. 37 - - -	THE BRITISH COLUMBIA LAND REGISTRY ACT, 1861 - - -	73
8	No. 38 - - -	THE PRE-EMPTION CONSOLIDATION ACT, 1861 - - -	77
9	No. 40 - - -	THE NEW WESTMINSTER MUNICIPAL COUNCIL EXTENSION ACT, 1861 - - - - -	80

MAPS.

		To face Page
1	MAP OF A PORTION OF BRITISH COLUMBIA - - - - -	8
2	SKETCH ACCOMPANYING DR. FORBES' GEOLOGICAL REPORT. (Sections on Harrison Lake and Lillooet River) - - - - -	32
3	REDUCED SKETCH OF PART OF BRITISH COLUMBIA - - - - -	50
4	REDUCED MAP SHOWING THE AURIFEROUS DISTRICTS OF BRITISH COLUMBIA - - - - -	54

PAPERS

RELATIVE TO

THE AFFAIRS OF BRITISH COLUMBIA.

PART IV.

Despatches from the Governor.

No. 1.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

BRITISH
COLUMBIA.
No. 1.

(No. 24.)

Victoria, Vancouver Island, February 17, 1860.

(Received April 12, 1860.)

MY LORD DUKE,

(Answered, No. 26, May 19, 1860, page 66.)

In my Despatch, No. 224,* of the 18th October last, reporting to your Grace on the state of British Columbia, I took occasion, while adverting to the existing means of moral and religious instruction in the Colony, to inform your Grace that Divine Service was regularly held in the several towns of Lower British Columbia by resident clergymen, and that the almost total absence of crime went far to show how usefully and extensively the influence of their teaching is felt. * Vide Papers presented in 1860, Part III., page 65.

2. It did not, however, occur to me to inform your Grace at the same time that I had, on the part of this Government, done everything in my power to promote the good cause, by encouraging the residence of an ordained and educated clergy in British Columbia.

3. Having no authority to apply any part of the public revenue to the aid and support of churches, there was little in my power to bestow beyond the sincerest sympathy and advice in aid of the zealous clergy of the Church of England and the Methodist Episcopal Church, who first entered the field of missionary labour in British Columbia.

4. I did not, however, hesitate to assign to the clergy of those persuasions respectively, on their application, a church, school, and dwelling-house site, forming a block of four building lots, or about one acre of land in extent, in all towns where they resided. Thus free grants to that extent, viz., one acre, have been made for the use and benefit of the Church of England and of the Methodist Episcopal Church respectively in the towns of Yule, Hope, Derby, Douglas, and New Westminster, as a small return for the valuable services rendered to the country by the clergy of those churches, who have hitherto received no other compensation from the Government.

5. I have to request your Grace's sanction for those grants, and authority to continue the same practice in all other towns of British Columbia where ordained Ministers of the Gospel may think proper to take up their residence; and further, seeing that one of the duties most deserving the attention of Government is to provide means for the moral and religious training of the people, I would take the liberty of recommending to Her Majesty's Government that free grants of 100 acres of rural land should be made in aid of every cure formed in British Columbia, provided they be not otherwise supported at the public expense, and there be a resident clergyman, and a place of Christian worship erected.

6. A grant of land to that extent would not be burdensome to the Colony, and would nevertheless form an attractive inducement for Christian churches to devote their

BRITISH
COLUMBIA.

attention to the country until population increases, and other provision is made for the maintenance of a Christian clergy and the erection of places of Christian worship.

7. It is not my intention to advocate the establishment of a dominant and endowed church, as that object could not be accomplished without injustice in a country to which persons of all religious persuasions are invited to resort, but I conceive it would be advisable to extend, in the manner before indicated, the protection and support of Government to the four grand denominations of Christians, viz., the Church of England, the Presbyterian, Methodist, and Roman Catholic Churches, which are all represented by classes of the population in this Colony.

8. I shall be glad to receive the instructions of Her Majesty's Government on this subject.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

No. 2.

No. 2.

COPY OF DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 25.)

Victoria, Vancouver Island, February 18, 1860.

(Received April 12, 1860.)

MY LORD DUKE,

(Answered, No. 27, May 25, 1860, page 66.)

THE desire manifested on the part of Her Majesty's Government for the improvement and well-being of the aboriginal races of British Columbia induces me to lay before your Grace the enclosed interesting correspondence between the Reverend Edward Cridge, district minister of Victoria, and Mr. William Duncan, an exemplary and truly worthy gentleman, who has, for some years past, been devotedly labouring with a wonderful degree of energy and perseverance as a Christian missionary among the Indian population at and about Fort Simpson.

2. The facility with which Mr. Duncan has acquired the native language, and succeeded in winning the confidence and attachment of the natives, is a proof of the good sense, kindness of heart, and talent which he has brought to the task; while the very marked success of his efforts as a religious teacher gives rise to the gratifying hope that the natives will yet, through God's blessing, be rescued from ignorance, and assume a respectable position in British Columbia.

3. Mr. Duncan proposes to found a missionary settlement for Indian converts in an eligible situation, about 20 miles south of Fort Simpson (probably Port Essington), a plan which meets with my entire approval.

4. I therefore, with your Grace's sanction, intend to reserve several hundred acres of land in that neighbourhood to enable Mr. Duncan to carry this useful and benevolent plan into effect.

5. I would submit, with respect to all land reserved for Indians, the advisability of withholding from them the power to sell or otherwise alienate the title, as they are yet so ignorant and improvident that they cannot safely be trusted with the management or control of landed estate, which, if fully conveyed to them, would soon pass into other hands.

6. I would, therefore, recommend, as a safe and preferable course, that such reserves of land should be conveyed to the Governor of the Colony for the time being in trust for the use and benefit of the Indians, leaving no power whatever in them to sell or alienate the estate.

7. Should those measures meet with your Grace's approval, I have to request the sanction of Her Majesty's Government for carrying them into effect.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

Encl. 1 in No. 2.

Enclosure 1 in No. 2.

To his Excellency JAMES DOUGLAS, C.B., Governor of British Columbia, &c. &c. &c.

MY DEAR SIR,

The Parsonage, Victoria, V. I.,
February 18, 1860.

I BEG to lay before you a letter which I have just received from Mr. W. Duncan, Church of England Missionary at Fort Simpson, in reply to one which, in conformity with your Excellency's

instructions a short time ago, I wrote to him expressive of the interest you felt in his mission, and of your desire to aid him in his work. A copy of which I subjoin.

BRITISH
COLUMBIA.

I remain, &c.
(Signed) EDWD. CRIDGE.

(Copy.)

DEAR MR. DUNCAN,

The Parsonage, Victoria,
January, 1860.

I AM requested by his Excellency the Governor to express to you the great gratification he has received from conversing with several of the Indians who have been under your instruction at Fort Simpson, and who are now at Victoria, and his pleasure at witnessing the great improvement in manners, learning, and religion which you have succeeded in effecting in their condition.

His Excellency trusts you will continue to show the same energy and perseverance which he is sure you must already have applied to the work, and that your labour will be rewarded by a still larger measure of success.

His Excellency also wishes me to say that he will feel obliged by your reporting to him from time to time on the progress of your mission. Any suggestions you may make with regard to measures which may occur to you as likely to prove beneficial to the Indians under your care, such as settling them in any particular locality, or setting apart a reserve of land for their use, will receive his Excellency's best attention, who will also, if necessary, represent such measures with his favourable recommendation to Her Majesty's Government.

Praying that the Divine blessing may rest abundantly on your mission,

Believe me, &c.
(Signed) EDWD. CRIDGE,
District Minister of Victoria and Colonial Chaplain.

Enclosure 2 in No. 2.

Encl. 2 in No. 2

MR. DUNCAN to REV. E. CRIDGE.

REV. AND DEAR SIR,

Fort Simpson, British Columbia, February 7, 1860.

I DULY received, by the favour of Captain Dodd of the Honourable Hudson's Bay Company, your kind letter of the 11th ult., tendering me the sympathy and good wishes of his Excellency the Governor of British Columbia in reference to my work as a Missionary among the Chimshyan Indians of this place. Also expressing his Excellency's desire that I would report to him from time to time the progress of the mission, and make suggestions of any measures which I deem would be likely to prove beneficial to the Indians under my care, such as settling them in any particular locality, or setting apart a reserve of land for their use.

I feel indeed truly thankful to his Excellency for the very kind interest he manifests in the mission, and I shall rejoicingly avail myself of the privilege he extends to me, in making such communications to him from time to time as circumstances may suggest and opportunities afford.

For his Excellency's information I would now mention that I began a school here in November 1858, which I still continue to carry on. My pupils number about 200, of whom only about 30 are adults. The daily attendance varies from 80 to 130 souls, excepting the times when they go away in great numbers to procure fish, which occupies about four months in the year, and at such times our daily attendance is from 40 to 80 souls.

The instruction I give them is in reading, writing, counting, singing, and religious knowledge. The latter I teach in their own tongue, but everything else in English.

Another prominent part of my daily work is visiting the Indians in their own houses; the visits I make are mostly in answer to calls for help and medicine in sickness; but I have thereby many opportunities of speaking to all the inmates of a house. I usually address them on the evil of their doings, and point out the inevitable consequences of sin, both in time and in eternity. I then tell them of the sinner's friend, and set the blessed Gospel of our Lord Jesus Christ before them, illustrating from their own customs our need of such a Saviour.

As to the result of my labours among them, speaking generally, I may say that many remain infatuated, utterly regardless of the future, while others, caring not for themselves, yet seem anxious for their children to learn and walk in the good way; the remainder are those who are anxious for themselves as well as their children to learn and practise what is good.

It is to the case of this latter class that I would wish his Excellency's attention was drawn; and, in reference to their case, permit me humbly to suggest the propriety of a place being founded in which such Indians may find a home, and where there may be no lack of remunerative labour put into their hands. I confess my only hope of seeing the Indian races of this coast diverted from the destructive courses to which they are now so strongly tempted lies in the carrying out of some such plan as the above for their benefit.

However small and insignificant at first such a place might be, I have no doubt of its ultimate growth and prosperity. Some time ago I hinted to a few of the better disposed Indians here the idea of their separating from the rest, and thus avoiding the ruin which threatened them all, and they embraced the subject heartily.

One old chief urged me much to write to the people at home about the matter. He very properly told me that he saw no chance of benefiting even the rising generation unless they were removed from the evil influence around them at this place.

And I now see from instances which have already occurred, that the children I am teaching will be drifted from me as they grow up and become victims to the same vices which enslave their parents.

This makes me feel a growing anxiety for a safe retreat.

BRITISH
COLUMBIA.

There is no lack, I am happy to state, of suitable spots of land. One place the Indians frequently speak of as offering many advantages for a future home. It is about 30 miles south of this place, so far as I can ascertain. They have often wanted me to go and see it, but I never went, for I was not anxious to raise up hopes among the Indians which I might afterwards disappoint.

However, as his Excellency the Governor has kindly alluded to the matter of settlement, I shall now make it my duty in my addresses to the Indians to bring the subject prominently before them.

By the time that another opportunity occurs of communicating with Victoria, I hope to be able to speak more definitely regarding the subject as the Indian views it.

Thanking you for your kind letter, and praying that the Governor may ever be moved and guided in his efforts for the public good by that wisdom which is from above,

To the Rev. E. Cridge,
District Minister of Victoria,
&c. &c.

I remain, &c.
(Signed) W. DUNCAN.

No. 3.

No. 3.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 42.)

Victoria, Vancouver Island, April 23, 1860.

(Received June 11, 1860.)

(Answered, No. 36, June 26, 1860, page 67.)

MY LORD DUKE,

I HAVE the honour to inform your Grace that the winter has passed away without the occurrence of any extraordinary event in British Columbia.

2. The season has been comparatively mild, and the miners residing in the various inland districts have been abundantly provided with food and with home-grown vegetables in small quantities, which have had the effect of checking the ravages of scurvy, by which the health of many of those laborious men was seriously impaired in the winter of 1858.

3. Very satisfactory reports have been lately received from all the mining districts of the country; on these, however, strict reliance cannot always be placed, though in the present instance they are corroborated by heavy arrivals of gold dust, both in the hands of miners and of the exporting companies.

4. The roads leading into the country from Hope and Yale have, in consequence of the great depth of snow in the mountain passes, been impassable since the beginning of winter to any other mode of transport than by Indian packers, who, with singular force and power of endurance, toil through the mountain trails at that trying season with loads of 100 lbs. each; but that mode of transport is not even attempted in winter by the Hope trail, which is hermetically sealed to travel from the interior, between the months of October and June; yet these two trails may, I believe, be made available for winter travel, by evading the precipitous hills over which they pass, and carrying the line of road by easy grades through the deep valleys. The transport might then be carried on during the winter by means of sleighs drawn by horses, as it is evident that the depth of snow would not form in itself an insuperable obstacle, provided the precipitous ascents, which constitute the real difficulty of the road, could be avoided.

5. Much attention has been directed to the exploration of those difficult routes, and we have ascertained the feasibility of running an easy graded line of road from Yale to Lytton; and I am daily expecting a report from a surveying party employed at Hope, in examining, with a similar object in view, the passes leading from that place to the "Shimilkomeen" Valley. These routes may, without exaggeration, be severally compared to the passage of the Alps. It is, however, a great satisfaction to know that the country beyond the mountains is generally level and of easy access.

6. The great outlet of British Columbia continues to be by the Harrison River trail, and that fortunately has been uninterruptedly open during the whole winter, and large stocks of food have been accumulated at its further terminus near Cayoosh, in anticipation of the influx of miners for the Upper Fraser. The price of food is in consequence of that abundance comparatively low, the last quotations being 8*d.* per lb. for flour and beans at Lytton, and 11*d.* at Cayoosh, and at both places bacon is quoted at 14*d.* per lb. The improvement in the condition of the miner is very great, as he can live substantially for 1½ dollars per diem, instead of 3 or 4 dollars; and many claims are now workable at a profit which could not afford the miner any support last year.

7. A detachment of 80 Royal Engineers, under the command of Captain Grant, has been employed since the beginning of March embanking the shoals near the mouth of the Harrison River, for the purpose of deepening the channel, which is now impassable in

winter for the lightest steamer, and there is every reason to believe that the work will be brought to a successful termination.

8. The same detachment of Royal Engineers will shortly proceed to resume work on the waggon road from Douglas, which it is expected they will complete in a few weeks as far as the 10-mile house; from that point a party of civilian labourers have undertaken a section of six miles of the road, for which they are to receive the sum of 550*l.* per mile. This will carry the road to the 16-mile house, where the Royal Engineers will recommence operations, and probably complete the next 12 miles, that is, to the 28-mile house, situated on the smaller Lilloett Lake, before the end of summer.

9. We propose to use that and the larger Lilloett Lake as a water communication, connecting them by means of a good waggon road $1\frac{1}{4}$ miles in length, which is already made and in use. The application of some enterprising settlers to run a steamer, without any special privilege, on the larger Lilloett Lake has been granted, which will greatly facilitate transport. An excellent mule trail, 30 miles in length, with substantial bridges over all the rivers, connects the larger Lilloett Lake with Lake Anderson, beyond which the route to Cayoosh offers no very serious difficulties to engineering enterprise.

10. Two stern-wheel steamers, intended to ply on Lakes Anderson and Seaton, are nearly completed by an association of settlers, who at much labour and expense packed the engines and boilers from Douglas over the Harrison road. To give an idea of the difficulty of the undertaking, I may mention that the boilers, being too heavy to carry on mules, were rolled over the trail, as far as the 28-mile house, in five sections. Serious difficulties of that kind will not be felt when the waggon road is made, and the facility of communication will, I have no doubt, give a prodigious impulse to industry and to the rapid development of the resources of the country, as all kinds of machinery required to assist the operations of the gold miner may then be imported.

11. I have received advices from Lytton up to the 6th of this month (April). Commissioner Ball reports that the mining season had commenced, and that the miners who had migrated to the lower country for the winter were fast returning to their old claims on the benches of Fraser River, but the great majority of those hardy wanderers were making their way towards Quesnel River, where it is confidently expected rich hill diggings will be found.

12. A great number of Chinese miners were also arriving and taking up mining claims on the River Bars, in the Lytton district, who are reputed to be remarkably quiet and orderly. Mr. Ball's report refers to no other subject of general interest.

13. The prevailing impression respecting the great auriferous wealth of the district about Alexandria and the Quesnel River will have the effect of attracting a large population to that distant quarter, and I shall consequently be under the necessity of appointing a magistrate and a small body of police to remain there for the purpose of maintaining the peace of the country, and preventing conflicts among the miners and with the Indian tribes.

14. The last intelligence from the Shimilkomeen River is not so favourable as before reported. I perceive by the Oregon papers that many persons who had gone there for the purpose of mining had been unsuccessful. It is stated in those papers that 20 or 30 miners only were making from 8 to 10 dollars per day, while the others engaged in the same occupation were not paying expenses. That is, I conceive, but the usual and silly outcry of the idler and the visionary, and does not in the least shake my opinion in regard to the auriferous nature of the country, founded on its geological character, and further strengthened by the report of Lieut. Park, a highly scientific member of the American Boundary Commission, who entertains a similar belief in the auriferous character of that district, and in the existence of extensive placer diggings. Should a large population assemble there, the attention of Government will have to be directed towards it, and a police force employed to maintain the peace. I shall use every exertion to connect the Shimilkomeen with Fort Hope by means of a convenient road, with the important object in view of making Fraser River, instead of the Columbia, the outlet of its trade.

15. British Columbia is becoming highly attractive to the Chinese, who are arriving in great numbers, about 2,000 having entered Fraser River since the beginning of the year, and many more are expected from California and China. They are certainly not a desirable class of people, as a permanent population, but are for the present useful as labourers, and, as consumers, of a revenue-paying character. I have therefore protected them from the payment of differential duties not equally borne by other classes of the population.

BRITISH
COLUMBIA.

16. I have received advices from Commissioner Sanders of Yale district up to the 14th instant (April). He describes the migration of miners for the upper country as being very general, and expresses a fear that the feeling in favour of Quesnel River may lead to the depopulation of the Yale district.

17. In a previous passage of this report I stated that we had ascertained the feasibility of running a line of road by easy grades the whole way from Yale to Lytton, which would avoid the lofty passes, and be accessible in winter for pack mules, and not like the present trail, rendered valueless for five months in the year by an impassable depth of snow.

With reference to that enterprise which I proposed to undertake, Mr. Sanders complains of the character of the population. His remarks on the subject are as follows:—
“ There is very little probability of any person in Yale or its neighbourhood tendering
“ for the construction of the projected mule trail; the proposed part payment in land is
“ very far from being an inducement; in fact, it is generally objected to; an arrange-
“ ment of that nature might possibly be acceptable to British subjects, but would naturally
“ be objectionable to aliens, and unfortunately the population of this Colony is almost
“ without exception foreign.”

We shall, nevertheless, commence that undertaking as soon as a small body of the Royal Engineers can be spared without detriment to other important work.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

No. 4.

No. 4.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(Separate.)

New Westminster, British Columbia, May 23, 1860.

(Received July 14, 1860.)

MY LORD DUKE,

I have the honour to inform your Grace that I left Victoria on the 15th instant on a visit to British Columbia, and arrived at this place on the evening of the same day, and I have since been engaged with business of great public importance.

2. I was glad to observe that this city had greatly improved in appearance since my last visit, and that many new buildings have been erected, and the surface in many parts cleared of the gigantic stumps and fallen trees that obstructed the thoroughfares and incumbered the ground.

The erection of a court house and buildings for the Assay offices have also greatly added to the appearance of the place and increased the bustle and activity which pervades the town. Trade is also on the increase. Two steamers, of from 200 to 300 tons burthen, are plying with goods and passengers between Victoria and New Westminster, where their cargoes are discharged, and the inland transport is carried on from thence to Douglas and Yale by four stern-wheel river steamboats, varying in burthen from 50 to 200 tons, which now make two trips a week to those places.

3. The Custom house receipts having for the last two weeks somewhat exceeded the sum of 1,000*l.* of weekly return, corroborate the opinion I have expressed with respect to the state of trade, and indicate the spirited manner in which supplies are being sent into the mining districts, and the confidence entertained by business men in the auriferous resources of the country.

4. The effect of the pre-emption law is already observable in the forest clearings made by settlers in the densely wooded land on the banks of Fraser River. The cost of clearing such land by means of hired labour ranges from 15*l.* to 30*l.* an acre, and it will consequently never prove an attractive investment for capital; such land cannot be cleared to advantage otherwise than by the actual settler investing his own labour in the formation of a permanent home and property for himself and family.

5. I have given much anxious thought to the subject of settling British Columbia, and the conclusion is more than ever forced upon me that it cannot be successfully accomplished without adopting a very liberal land system. I am strongly induced to view the public land simply as a source of revenue, and, provided an income of equal or greater value can be realized by other means, it does not appear wise or expedient to lock up the public land under a system which practically places it beyond the reach of purchase by ordinary settlers. It is evident that without population a revenue for the support of government

is unattainable, and unproductive land is next to valueless both to the country and to the Crown. The sale of land affords a temporary revenue, but the settler indirectly, by the payment of duties on the foreign articles he consumes, and by means of a small direct tax which could be levied on the land he occupies, will become a permanent contributor to the revenue, and, therefore, although the land may have been acquired for nothing, and brought no revenue in the first instance, yet, in such case, the Crown in the end would become the gainer by his presence. If the public land could be sold at a high upset price, and the country at the same time filled with people, there would be an advantage in continuing the present sale price of land; but if one or other of those objects must be sacrificed, it is evidently preferable to have the population, and to grant the land without purchase or at a much lower price than at present.

6. These observations are thrown out merely for the purpose of acquainting your Grace with the impressions made upon me by the present circumstances of this country, as I propose to bring the subject under the consideration of Her Majesty's Government in a more formal manner when I have arrived at clearer and better-supported conclusions.

7. The inhabitants of New Westminster having expressed a great desire for the incorporation of their town and the appointment of municipal officers to manage its revenues, I consulted their select committee as to their views, and as to the best means of carrying out their wishes. Their propositions are extremely moderate, embracing chiefly two points, viz., the right of taxing themselves, and of applying the proceeds of such taxes to grading the streets and to the general improvement of the town. After several interviews, and obtaining the sense of the people at a public meeting with respect to the amount of taxes they wished to raise, and as to whether such taxes should be levied on an arbitrary valuation or on an actual assessment of property, the draft of an Act was made containing the following provisions:—

(1st.) That all persons subject to the payment of rates according to the Act shall be entitled to vote at elections for members of the town council.

(2nd.) That the town council shall consist of seven members, who are to hold office without remuneration, and for one year only.

(3rd.) That none but British subjects or foreigners who have become naturalized British subjects shall be eligible for councillors, and, in addition, they must be possessed of property valued at not less than 50*l.* sterling, and shall have resided at least six months in New Westminster.

(4th.) That the town of New Westminster shall be divided into four wards, each returning a certain number of councillors.

(5th.) That the council shall be empowered to levy rates on property within the town, as may be determined and authorized by the majority of the rate-payers, and to cause the proceeds of such rates to be expended under the direction of the Chief Commissioner of Lands and Works.

(6th.) That the council shall be authorized to levy a tax not exceeding two per cent. on the assessed value of all town lots and property within the town for the year 1860 and 1861, and to enforce payment thereof.

(7th.) That the said council shall be empowered to levy a further rate over and above the said two per cent. for the said two years, provided the majority of the rate-payers deem it necessary and require them so to do.

(8th.) That the said council shall be further authorized to compel town lot holders to cut down all trees on their respective town lots, except such as may be reserved for ornament, and in default to cause the trees to be cut down, and the cost thereof, not exceeding 7*l.* sterling on each town lot, to be levied on the property.

Such is the substance of the proposed Act, which will be immediately put into the hands of the Attorney General for proper drafting.

8. Your Grace will observe that the powers of the council are so limited by the supervision of the Commissioner of Lands and Works on the one hand, and the rate-payers on the other, as almost to remove the danger of abuse, and I am of opinion that the city will be greatly benefited by its exertions and by the expenditures on substantial and much-needed improvements.

Trusting that this measure may meet with your Grace's approval,

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

BRITISH
COLUMBIA.

No. 5.

No. 5.

Copy of DESPATCH from GOVERNOR DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(Separate.)

Camp, Fraser River, Chilwayhook District, May 31, 1860.

(Received August 6, 1860.)

MY LORD DUKE,

In continuation of my last report, marked Separate, and dated New Westminster, 23rd May, I have to communicate for your Grace's information, that the 24th of May was spent not unprofitably in making a tour in one of the river steamers to Pitt Lake, distant about 40 miles from New Westminster, accompanied by the colonel in command, the civil and military colonial officers, the local magistrates, the Lord Bishop of British Columbia, his chaplain, and many of the citizens of New Westminster, who were invited to celebrate with me the auspicious natal day of our most Gracious Queen, amidst the wild romantic scenery of that mountain lake, and never, I believe, has any part of Her Majesty's dominions resounded to more hearty acclamations of loyalty and attachment than were heard on that occasion.

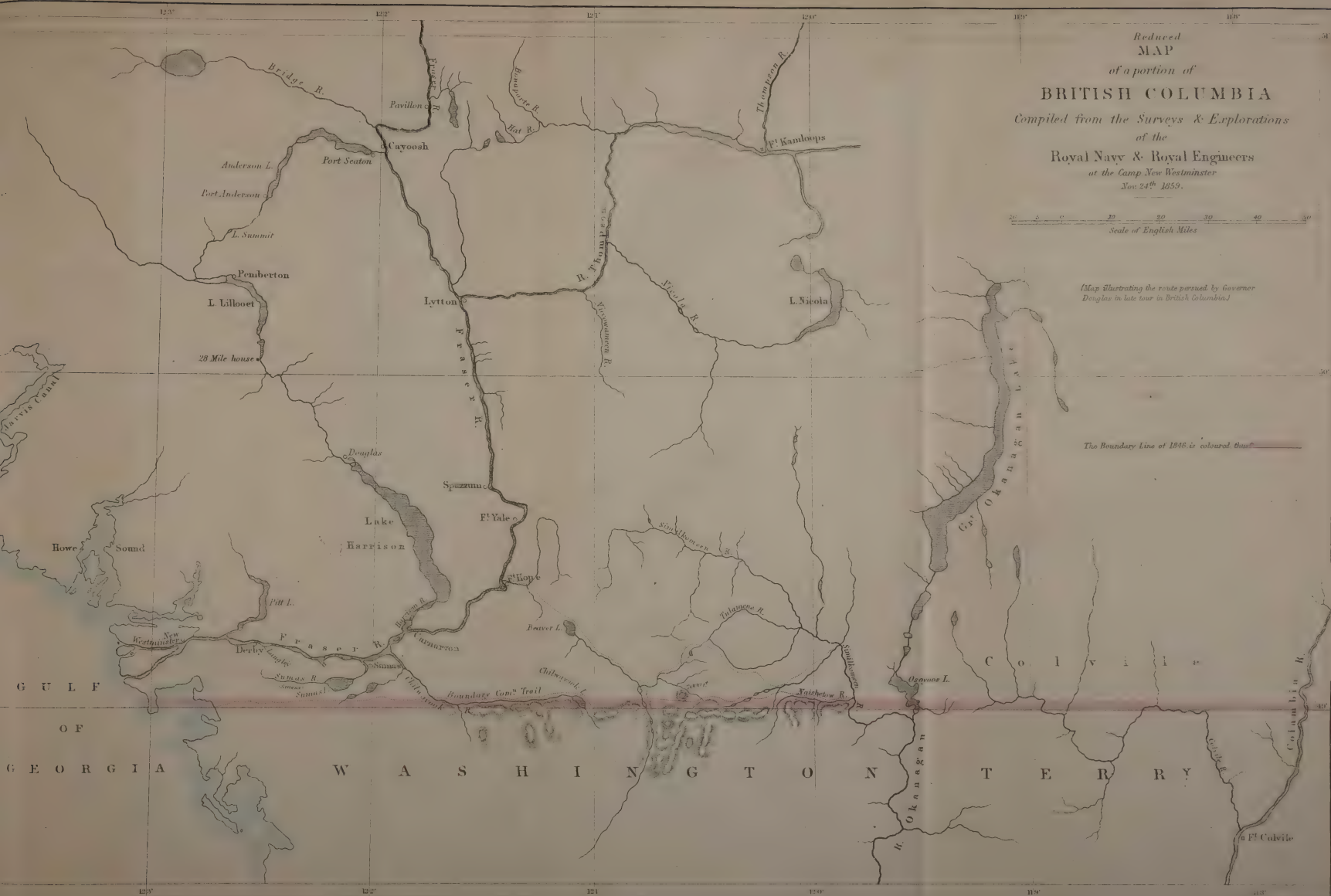
2. The other towns in British Columbia vied in loyal demonstrations with the inhabitants of New Westminster, a fact which I record with pleasure as a proof of the growing attachment of the alien population of the Colony to our Sovereign, and to the institutions of our country.

3. On the 25th of May I proceeded from New Westminster, with my party, in one of the revenue boats towards Derby; in our progress up the Fraser we passed a number of tributary streams flowing into it from the north. The "Pitt" is the most considerable of these tributaries, being navigable for vessels of 300 or 400 tons to its source in Pitt Lake, a distance of 35 miles, including the lake, beyond which it is accessible for Indian canoes a few miles further, but not for any larger craft.

4. The banks of Pitt River are exceedingly beautiful; extensive meadows sweep gracefully from the very edge of the river towards the distant line of forest and mountain. The rich alluvial soil produces a thick growth of grass interspersed with the Michaelmas daisy, the wild rose, and scattered groups of willows. This fine district contains an area of 20,000 acres of good arable land, requiring no clearing from timber, and ready for the immediate operations of the plough. Many parts of it are however exposed to overflow, through the periodical inundations of the Fraser, which commence about the first week in June, and generally subside before the middle of July. Owing to this circumstance the Pitt River meadows are not adapted for raising wheat and other cereals which require the entire season to mature, but may be turned to good account in growing hay and every kind of root crop, and may also be used extensively for pasturing cattle, and for the purposes of the dairy.

5. The Brunette, Coquitlum, and Whytus, the latter opposite the site of Derby, are streams accessible by boat or canoe for some distance from their debouche into Fraser River; their importance to the district, as an easy and inexpensive means of communication, is very great, seeing that they form a series of natural canals, intersecting the country in all directions, and admirably adapted for the transport of goods and produce to and from the navigable waters of the Fraser.

6. The banks of Fraser River are almost everywhere covered with woods. Varieties of pine and firs of prodigious size, and large poplar trees, predominate. The vine and soft maple, the wild apple tree, the white and black thorn, and deciduous bushes in great variety, form the massive undergrowth. The vegetation is luxuriant almost beyond conception, and at this season of the year presents a peculiarly beautiful appearance. The eye never tires of ranging over the varied shades of the fresh green foliage, mingling with the clustering white flowers of the wild apple tree, now in full blossom, and filling the air with delicious fragrance. As our boat, gliding swiftly over the surface of the smooth waters, occasionally swept beneath the overhanging boughs which form a canopy of leaves, impervious to the sun's scorching rays, the effect was enchanting; yet amidst all this wealth and luxuriance of nature, I could not repress the wish that those gorgeous forests might soon be swept away by the efforts of human industry, and give place to cultivated fields and the other accessories of civilization. This, however, will be a work of time, though there is no doubt that the facilities and inducements now held out to settlers in this Colony by the pre-emptive law and other enactments, might enable thousands of the destitute poor of Britain, by a few years of steady industry, to secure for themselves happy homes and a comfortable independence for life.



Reduced
MAP
of a portion of
BRITISH COLUMBIA
Compiled from the Surveys & Explorations
of the
Royal Navy & Royal Engineers
at the Camp New Westminster
Nov 24th 1859.

Scale of English Miles

(Map illustrating the route pursued by Governor
Douglas in late tour in British Columbia.)

The Boundary Line of 1846 is coloured Blue

GULF OF GEORGIA

W A S H I N G T O N T E R R I T O R Y

7. Leaving the boat at Derby we travelled two miles by the bridlepath which skirts the Fraser to Langley. In my Despatch No. 224,* of the 18th October last, I communicated to your Grace the intention I then entertained of opening up leading roads in the districts bordering on Fraser River from Derby to Hope, to connect those places, and for the relief of settlers exploring the country; as they cannot otherwise make their way through the woods, which are blocked up in every direction by thick brush and immense quantities of fallen timber.

8. A portion of that road from Langley to Smess, which completes the line of communication between Derby and Hope, having been lately finished, I proceeded on horseback from Langley with the intention of riding the whole way to Hope; that intention could not however be fully carried into effect, as Fraser River had overflowed its banks, and inundated the low plains through which the road has been injudiciously led. After a ride of 13 miles our progress was arrested by a flooded plain, impassable in its present state for horses, and we were therefore compelled to seek the river and to proceed by canoe.

9. The tract through which we rode is well adapted for settlement, the soil being a deep rich loam, and the woods which once evidently covered the whole face of the country, having been in parts so completely destroyed by fire as to leave large patches of ground almost clear of timber. The tract alluded to and that extending to Smess River contains about 150,000 acres of land, easily cleared and generally well adapted for tillage; its advantageous position on the banks of a navigable river further recommend it as an eligible place of settlement.

10. Captain Parsons with a party of Royal Engineers is now engaged in a reconnaissance of the country on the Smess and Chilwayhook Rivers. I will therefore defer the notice of that district until I receive that officer's report on its capabilities.

I will now close this communication, as a steamer is in sight, and I will proceed by her from this point towards Douglas or Hope, with the intention of continuing this sketch.

I have, &c.

(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle,
&c. &c. &c.

No. 6.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(Separate.)

MY LORD DUKE,

Hope, British Columbia, June 5, 1860.

(Received August 6, 1860.)

My last communication to your Grace was dated "Camp, Chilwayhook District, 31st May."

2. During the few hours I remained at Douglas, whither the river steamer which conveyed my party from Chilwayhook was bound, I had merely time to observe the increasing size of the town, the improved style of the newer buildings, and the evident attention paid to comfort and stability in their arrangement and construction, indicating the growing wealth of the inhabitants, and their confidence in the progress of the town.

Its business facilities have lately been much improved by the construction of two substantial wharves which afford ample accommodation for all shipping which visit the port.

3. I met Captain Grant, R.E., at Douglas, who reports very favourably of the progress of the detachment of Royal Engineers and civilian labourers employed under his command in forming the waggon road from Douglas to the lesser Lilooett Lake, which he expects to finish before the close of summer.

4. Our steamer having a full cargo on board was detained at Douglas in landing goods from the hour of her arrival at six o'clock in the evening, till four the following morning, when she was again under weigh steaming full power in the direction of Hope, and arrived there at nine o'clock the same evening, the distance being 90 miles, during 40 miles of which she had to stem the current of Fraser River, now almost at its greatest force and height.

5. At a public meeting of the inhabitants of Hope, held soon after my arrival there, I entered into an exposition of the state and prospects of the country, and more particularly directed the attention of the meeting to the importance of opening lines of road without delay, into various parts of the country, but especially a line leading into the valley of the Shimilkomeen, and showing that the immediate and direct effect to the

BRITISH
COLUMBIA.

country would be a vast reduction in the cost of transport, and a great accession of trade to the town and district of Hope.

6. The valley of the Shimilkomeen has many attractive features, no part of British Columbia being more beautiful as a country, or offering greater inducements to settlers.

The whole of that district is watered by running streams, possesses a great deal of arable land, and is diversified by woodland and meadow.

The climate is pleasant and healthy, the winters mild, and the capabilities of the district for raising and pasturing stock are very great.

There is, moreover, satisfactory evidence that the rivers and soil are auriferous, and that gold will become a chief article of export and source of wealth.

The settlement of that fine district has been retarded by want of roads, and there is no doubt that people will flock thither as soon as it is accessible to travel.

7. A cutting of 60 miles through the mountains will connect it with the town of Hope. I entreated the meeting to give the subject their earnest attention, and to recommend such financial measures as might raise the funds requisite for carrying that great work into effect.

The people cordially agreed with the views expressed, and promised their hearty aid and support in providing money for the occasion.

8. The day following I called a meeting of the miners in the Hope district, and in the course of a long interview ascertained that they had no grievances to lay before me, and that they were satisfied with the existing "Gold Fields Act." I spoke to them about the probable existence of gold in Shimilkomeen, and recommended that they should at once form a party, selected by themselves, and composed of experienced miners, and of men on whose energy and judgment they could rely, to prospect the Shimilkomeen country, and I agreed on the part of the Government to furnish the party with food, and to allow a bonus of 4*l.* sterling in money to each of the men employed in prospecting, provided they succeeded in finding gold.

The proposal was received with evident marks of satisfaction by the whole company of miners, and they proceeded at once to select a party of nine men, out of a large number of those present who volunteered for the service; and this choice band will start in a few days time, or as soon as the freshets, which now fill the rivers to overflowing, have somewhat abated, and travelling becomes a less dangerous undertaking.

9. The despatch of a party to reopen and improve the road leading direct from Hope to Quayome, or Boston Bar, was at once undertaken and carried into effect, but the improvement of the other routes is left for the present and cannot be undertaken until my return from Yale, when I will report further.

10. I annex a return exhibiting the average number of miners employed on the several bars of the Hope District, together with the average earnings of each man per diem, which I have no doubt will be interesting to your Grace.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

Encl. in No. 6.

Enclosure in No. 6.

AVERAGE NUMBER OF MINERS employed on the several Bars in the Fort Hope District, viz., from Victoria to Hudson Bar.

Names of Bars.				Average No. of Miner's employed.	Average per diem earnings of each Man.
Victoria Bar	-	-	-	40	3 to 5 dollars.
Puget Sound Bar	-	-	-	50	3 to 5 "
French	"	-	-	15	10 to 12 "
Trafalgar	"	-	-	9	5 to 7 "
Maria Ville	"	-	-	10	4 "
Union	"	-	-	20	4 to 5 "
Cornish	"	-	-	15	3 to 4 "
Prospect	"	-	-	6	4 "
Blue Nose	"	-	-	8	4 "
Hudson	"	-	-	30	8 to 10 "
Total	-	-	-	203	

Fort Hope, June 9, 1860.

(Signed) P. O. REILLY,
Acting Gold Commissioner.

No. 7.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

BRITISH
COLUMBIA.
No. 7.

(Separate.)

Victoria, Vancouver Island, July 6, 1860.

MY LORD DUKE,

(Received August 22, 1860.)

CONTINUING our progress from Hope, from whence I last addressed your Grace, on the morning of the 6th June, we arrived at Yale in the afternoon of the same day.

2. A deputation of the inhabitants, bearing a congratulatory Address, waited upon me almost immediately after my arrival, and I took that opportunity of stating that I had been induced to visit Yale on that occasion chiefly by the desire of conferring with them on the highly important subject of improving, and, wherever necessary, altering the line of the present trail leading from Yale to Lytton, with the view of reducing the expense of transport, and rendering the country beyond the mountains accessible to intending settlers.

3. I drew their attention to the fact that the cost of transport by the existing mountain trail between Yale and Lytton, a distance of 80 miles, exceeded 76*l.* sterling a ton, a charge which the gold miner, by reason of his large earnings and limited wants, might possibly contrive to meet, but it was evident that until the cost of transport be greatly reduced, settlers, with their multiform wants, would be involved in ruinous expenses, and in fact virtually excluded from the interior of the country, which might, for want of such facilities of communication as I proposed to form, remain a desert for years to come.

I also remarked how nearly impossible it was, by any conveyance practicable on those trails, for the settler to transport the implements indispensable for bringing the land into cultivation.

4. I therefore recommended that the inhabitants of the town should forthwith hold a meeting for the purpose of choosing a temporary council of five members to concert measures with me for raising the funds requisite for carrying on that important enterprise, which must necessarily confer the most signal benefits on the country at large, and so greatly promote the individual interests of the people of Yale.

5. I then suggested that the money required for that service should be raised by means of an inland duty of one farthing a pound, to be charged after the completion of the road on the weight of all goods leaving Yale for any inland part above and beyond that place, and that in the meantime the outlay should be met by an issue of Colonial Bonds, bearing interest at six per cent. per annum, to be repaid at fixed periods from the revenues so created.

6. In continuation of that subject I may remark for your Grace's information, that a Town Council of five members was subsequently chosen by the inhabitants of Yale, who, on behalf of their fellow citizens, presented a petition recommending that the proposed duty of one farthing a pound should be charged on all goods carried inland from Yale, and that the revenues derived from that source should be applied to the redemption of the bonds issued in payment of the work done on the roads, and also praying that a uniform rate of duty should be levied on all goods carried inland from Hope and Douglas, in order that no one route should have any preference or decided advantage over the others.

7. The inland exports from Yale are estimated at 50 tons a week, or 2,600 tons per annum; the proposed duty, equivalent to 2*l.* 4*s.* 9*d.* a ton, should therefore yield an annual revenue of 6,500*l.* sterling, without taking into account the progressive increase of trade and population; that sum will thus, at the most moderate computation, form an ample fund for the redemption of the bonds, and payment of the interest accruing thereon; and the country will be largely repaid for the immediate outlay by a direct saving of fivepence a pound weight, or 46*l.* 13*s.* 4*d.* sterling a ton, which it is estimated will be effected in the cost of transport from Yale to Lytton by opening the new line of road, as well as from many other sources of prosperity and wealth that the improvement of roads will bring into play.

8. Having thus provided the means of executing our plans, the Chief Commissioner of Lands and Works was authorized to proceed immediately in carrying them into effect.

Two portions of the new line of road from Yale to Spuzzem are now in progress, and a third portion between Chapman's and Boston Bar is about being surveyed in hopes of discovering some line which may avoid the circuitous direction and the mountainous

BRITISH
COLUMBIA.

district through which the mule trail now passes, whereby the actual distance is greatly increased, while the route is in winter rendered altogether impassable by the great depth of snow.

9. I beg herewith to forward for your Grace's information the substance of a short address,* which, previous to my departure, I delivered to the people of Yale, complimenting them for their public spirit, and thanking them for the cordial manner in which they had responded to my proposals for promoting the improvement of the country.

10. The inhabitants of Hope, to which place I returned on the 15th June, were equally liberal in their views, and also drew up a petition in favour of an inland duty equivalent to that to be levied at Yale, on all goods carried overland from Hope, which will provide funds for improving the road to "Quayome," or Boston Bar, and opening a new route by the "Callomme" River into the "Shimilkomeen" valley, a distance of 60 miles, the expense of which on the scale proposed will not exceed four thousand pounds sterling.

11. I herewith transmit for your Grace's information a sketch map* of part of British Columbia, showing the proposed lines of road mentioned in this report, together with the roads before completed, and others strongly recommended by the Commissioner of Lands and Works, and which will no doubt greatly facilitate and promote the settlement of the country.

12. I am happy to inform your Grace that the reports from all the mining districts continue to be of the most favourable character. Mining is no longer a speculation; it is becoming a business yielding an appreciable and certain return, and every day is extending our knowledge of the gold deposits.

13. Our latest accounts represent that 600 white miners were successfully employed on Quesnelle river, earning from 10 to 25 dollars a day. The spring freshets had driven them away from their claims in the beds of the rivers, and they had commenced operations on the hills and ravines, which have turned out to be highly auriferous. Several pieces of gold, varying from six to eight ounces, have been found in those new diggings, and the gold produced has a rougher surface and is in larger pieces than that found in the country west of Lytton.

14. About 1,000 white miners are working on Fraser river, between Alexandria and Lytton, and about 4,000 Chinese miners are employed in the various districts of the colony.

15. In my next excursion to British Columbia I propose to devote my attention to the Harrison River district, where the land communications are being rapidly improved, and two small steamers, soon to be increased by a third, are in full operation on the lakes.

16. I trust Her Majesty's Government will approve of the measures herein detailed for removing the impediments of access to the country, and the issue of bonds as a means of raising money for carrying on the work. The whole expense of those works will be defrayed out of the revenues of the country, derived, as I have before stated, from the duty on inland transport.

I feel assured that I have not overrated the resources of the country, and that they are equal to the emergency, and I believe that those resources will be more or less largely developed just in proportion to the degree in which those difficulties of access are removed.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

* Not printed.

COPY of DESPATCH from GOVERNOR DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

No. 8.

(No. 70.)

MY LORD DUKE,

Victoria, Vancouver Island, August 3, 1860.

(Received September 27, 1860.)

I HAVE the honour of transmitting herewith, for your Grace's information, copy of a letter from Mr. O'Reilly, the magistrate at Hope, with enclosure, being the first report received from the party of gold miners sent out from that place, as stated to your Grace in paragraph 8 of my Despatch of the 5th June, marked "Separate."*

* Page 9.

2. This report, though not conclusive as to the general character of the country, yet speaks very favourably of those parts examined.

3. The quality and value of the specimens of gold alluded to in the above report have been estimated by a practical assayer here, as follows:—

No. 1.	Weight	-	-	about 5 grains.
	Quality	-	-	860 thousandths fine.
	Value	-	-	9 pence.
No. 2.	Quality	-	-	860 thousandths fine.
	Value	-	-	22 pence.
	Weight	-	-	about 12 grains.

from which an inference may be drawn greatly in favour of the Shimilkameen as a mining district.

4. A new gold district is also said to have been discovered in the southern part of British Columbia, at York Creek, a tributary falling into the Kettle-fall River near the 49 parallel, and 400 miners, chiefly from Oregon, were reported to be engaged in working that field, and making wages from 15 or 20 up to as high as 100 dollars a day. It is anticipated that there will be a great rush of miners to that part of the country, and, if so, food will be required in large quantities, which will lead to a great increase of trade, and to the formation of new settlements in that part of the Colony by reason of this additional attraction.

5. The importance of directing the supply of provisions for this region by way of Hope is thus greatly increased, and an additional motive supplied for opening the road between Hope and Shimilkameen, which is being at the present moment vigorously carried on, and thus preventing the trade from taking the course of the Columbia River to Oregon.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

Enclosure in No. 8.

Encl. in No. 8.

SIR,

Fort Hope, July 31, 1860.

I HAVE the honour to enclose, for His Excellency's information, a letter just received from Mr. Allison, one of the party selected to proceed to the Shimilkomeen, for the purpose of exploring that district.

I shall endeavour to send them to-day a small quantity of provisions, to enable them to prosecute further their exploration.

As the steamer is about to start, I have not time to write at greater length.

W. A. G. Young, Esq.

I have, &c.

(Signed) P. O'REILLY, J. P.

Sub-Enclosure.

Sub-Enclosure.

SIR,

Shimilkomeen River, July 27, 1860.

I SEND in the two Indians to-day, they have worked for us nineteen days, at one dollar per day. I suppose they will expect to be paid for the time they are returning; my agreement with them was to pay them one dollar per day or \$30 per month. We have prospected the country in this locality to the best of our ability for the time we have been out, and have found diggings that will pay five or six dollars a day with a rocker. I think as the river falls, much richer deposits will be found. I have not the least doubt but we could find good bench diggings (if we had time), that would pay well for sluicing; we have prospected twelve miles up the south fork, which I think is the main source of the gold in this locality. The little package No. 1† was the result of the washing of two pans‡ of dirt taken from a point of bed rock that just projected above the water. I also found dirt on the bank near the same locality that prospected three or four cents to the pan.

† About 5 grains.
‡ The pan contains about 2 quarts of earth.

BRITISH
COLUMBIA.

* Weight,
about 12 grains.

Package No. 2* was the result of the washing of a few buckets of dirt in a rocker we have made for prospecting (rather a rough machine, made with an axe, and this the first washing); this was taken out a little below the junction of the south forks on the main river. All the surface of the country in this locality is a gravel deposit, and I have got very good prospects in banks of from 50 to 75 feet high. I think some of them will pay to work with a hydraulic.

It is singular that in all my prospecting I have not yet seen a quartz vein, although gold is distributed all over the country; this is one reason why I should like to penetrate further into the mountains. I think there must be quartz veins at the head of the streams, and that coarser gold will be found: the Indians report coarse gold high in the mountains, but I do not place any dependence in their reports.

I think this fall, at low water, rich deposits will be found in the bed of the streams; the rivers are rapidly falling, and the chances of striking good deposits improving every day. We shall be obliged to break up our company in a few days if we do not receive supplies from Hope. If I can purchase a horse at a reasonable price I shall return to Hope immediately, and make fuller reports of our prospecting, if not, I shall probably go down the Shimilkomeen.

P. O'Reilly, Esq.

Your obedient servant,
(Signed) J. F. ALLISON.

No. 9.

No. 9.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 72.)

Victoria, Vancouver Island, August 4, 1860.

(Received September 27, 1860.)

(Answered, No. 56, October 26, 1860, page 67.)

† Page 66.

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 26,† of the 19th of May 1860, on the subject of the grants of endowments in land to the clergy of the principal Christian communities established in British Columbia; and I learn with satisfaction that your Grace has been pleased to sanction the grants already made of about one acre each, and also to approve of a similar grant under similar circumstances in all towns in British Columbia; and I will take care that your Grace's suggestion as to the precautions necessary in the appropriation and conveyance of the land is not disregarded.

I observe and admit the force of the reasons which have induced your Grace to withhold the sanction of Her Majesty's Government to my further proposal that free grants of 100 acres of rural land should be made in aid of every cure established in British Columbia, and not otherwise supported at the public expense.

Your Grace will perhaps permit me to remark with reference to my recommendation of that measure, that I was desirous by it of holding out inducements to educated and respectable clergymen to take up their residence in the Colony, and of contributing in a small degree towards their decent maintenance and support; I, in fact, regarded it as an easy and inexpensive means of providing a fund which would materially and increasingly tend to the advancement and support of religion, without putting the Colony to any serious expense.

I did not view the proposed endowment as a sufficient or exclusive means of support; it was considered in my scheme only as an attractive inducement and important aid for religious bodies and clergymen, who perhaps, having a certain amount of private means or of funds drawn from other sources at their disposal, might by the prospect of that additional aid be induced to assume pastoral charge, and to found cures. When the good work was well begun, I trusted to the effect of voluntary contributions to complete the fund necessary for the support of the incumbent and for church extension throughout the Colony.

The circumstances of British Columbia, as your Grace is aware, are very peculiar: had the Colony been settled by a population drawn from the mother country, holding the same religious views, and appreciating Christian privileges and instruction, there would have been less cause for anxiety about the support of religion.

Bodies of Christian settlers, however poor, might reasonably be expected to unite in contributing, according to their means, to secure the advantage of having a Christian pastor resident among them.

But unfortunately the state of British Columbia is such as precludes the probability of such a desideratum; its population is made up of drafts from many nations, dissimilar in language, and totally disagreeing in their religious views; and it will, I fear, be many years before Christian congregations of any denomination will be found capable of supporting their own pastors.

It is for that reason that the Colony so urgently needs the fostering care of Government, for without its aid the country may remain unprovided with churches and destitute of Christian teachers for an indefinite period of time.

I hope it will not be supposed from anything herein stated that I am pressing this matter with an earnestness beyond its merits. I have merely addressed your Grace under a profound sense of one of the wants felt by the Colony, and for which I have no other means of providing.

I feel, in fact, that this is a subject demanding my closest attention, and to which I am particularly directed by Her Majesty's instructions, which enjoin that I should take especial care that Almighty God be devoutly served, and that orthodox churches be built, and well and orderly kept.

Should it still appear to Her Majesty's Government that the peculiar circumstances of the Colony do not warrant a reconsideration of your decision in respect to the proposed endowment, I trust your Grace will authorize me to substitute a money equivalent out of the Colonial Revenues, or to make some other provision calculated to advance and support the cause of religion.

I have, &c.

(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle,
&c. &c. &c.

No. 10.

No. 10.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 74.)

Victoria, Vancouver Island, August 4, 1860.

(Received September 27, 1860.)

MY LORD DUKE,

I HAVE the honour of transmitting herewith, for Her Majesty's approval, the copy of a Proclamation entitled "The New Westminster Municipal Council Act, 1860."

2. This is the Act which I had the honour of reporting to your Grace in my Despatch marked "separate," and dated New Westminster, the 23rd of May 1860.*

* Page 6.

3. It provides for the election of a Municipal Council invested with power to raise money by assessment on all town lots, and erections thereon, situated within the limits of New Westminster, and authorizes them to expend that money in the formation of streets, and in providing for the health, comfort, and security of the inhabitants.

4. The Municipal Council is to consist of seven members, being British subjects, and each being possessed of a property qualification of fifty pounds; and all ratepayers are entitled to vote in the election of Councillors.

5. The Council can levy such rates only as are approved of by the majority of all the ratepayers and by the Governor for the time being. In the same manner all bye-laws passed by the Council must be confirmed by the Governor for the time being, before they have the force of law.

6. The compulsory clause requiring lot-holders to cut down the standing trees, except such as may be reserved on any lot for ornament, was introduced into the Act at the request of the people themselves, who represented that there was no security for their property, which was in perpetual danger of being destroyed either by the falling of trees or by their conflagration, as long as any part of the forest within the inhabited portion of the town remains.

7. The clause has also merits of another kind; it will have the effect of inducing holders of lots, whether resident or not, to improve their property, and thereby benefit the town.

8. The Act has been prepared with much care and consideration by the Attorney-General, and will, I trust, be productive of much good.

I have, &c.

(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle,
&c. &c. &c.

BRITISH
COLUMBIA.

Encl. in No. 10.

(No. 20.)

Enclosure in No. 10.

British Columbia.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its dependencies, Vice-Admiral of the same.

PROCLAMATION having the force of Law in Her Majesty's Colony of British Columbia.

WHEREAS, by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith, I, James Douglas, Governor of the Colony of British Columbia, have been authorized by proclamation issued under the Public Seal of the said Colony, to make laws, institutions, and ordinances for the peace and good government of the same; and

Whereas it is expedient to establish a Municipal Council in the city of New Westminster:

Now, therefore, I, James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, order, and enact,

1. That from and after the date of this proclamation the tract of land specified in the first part of the Schedule hereto shall be deemed for the purposes of this proclamation the city of New Westminster.

2. The said city shall be divided into four wards, called respectively: Number One Ward, Number Two Ward, Number Three Ward, and Number Four Ward.

The Number One Ward shall include the tract of land specified in the second part of the said Schedule. The Number Two Ward shall include the tract of land specified in the third part of the said Schedule. The Number Three Ward shall include the tract of land specified in the fourth part of the said Schedule, and the Number Four Ward shall include the tract of land specified in the fifth part of the said Schedule.

The Municipal Council.

3. The Municipal Council shall consist of seven councillors possessed of the qualifications and subject to none of the disqualifications herein-after specified.

Qualifications.

4. Being a male British subject of full age.

Having resided in the city of New Westminster for a space of three calendar months previous to election.

Being seised or possessed in his own right in fee simple of a town lot or part of a town lot in the city of New Westminster of the market value of not less than fifty pounds sterling.

Disqualifications.

5. Being a minister of any religious denomination.

Being a sheriff or sheriff's officer, or returning officer under this proclamation.

Being a bankrupt, insolvent debtor, or outlaw, or having been convicted of any felony.

Having taken the oath of allegiance to or having become the subject or citizen of any foreign state or nation, or having sworn or declared his intention of forswearing his allegiance to Her Majesty or Her successors, unless he shall have taken the oath of allegiance to Her Majesty and Her successors before the Judge of the Supreme Court of Civil Justice of British Columbia three months at least before the time of election.

Having directly or indirectly any contract with the Municipal Council.

Election of Councillors.

6. The persons possessed of the qualifications and under none of the disqualifications herein-after mentioned concerning electors of the said Municipal Council shall have one vote a-piece in the election of a councillor or councillors for the ward wherein he has a property qualification; but he shall only vote once in the same ward, and may either split his vote between the candidates if more than one, or vote for one only; and if he shall vote for one only, his vote shall only count one.

7. There shall be elected in Number One Ward one councillor, in Number Two Ward three councillors, in Number Three Ward two councillors, and in Number Four Ward one councillor respectively.

8. The candidate or candidates, as the case may be, in each ward (duly qualified) who shall obtain the greatest number of votes in the ward for which he or they may stand shall be councillors.

Open Voting.

9. The voting for councillors shall be open, and no person shall vote by proxy.

Duration of Office of Councillors.

10. The councillors shall be elected for one year only. Provided always, that if any of the councillors, or any person on his or their behalf, or any person in partnership with him or them, shall enter into or obtain any interest directly or indirectly in any contract entered into by or with the

Municipal Council, such councillor shall immediately resign his councillorship. Provided always, that if any councillor shall vote at any meeting of the Council, or shall not resign his office as aforesaid within the space of one calendar month from the time when he shall have entered into or obtained any interest in any such contract as aforesaid, such councillor shall forfeit to the Municipal Council a sum of 50*l.*, which said sum may be recovered by action to be brought in the name of the "Municipal Council of the city of New Westminster."

Time of Election of Councillors.

11. The nomination shall be on the 6th day of August in each year, and the election day on the 7th day of August in each year; and if either of the said days shall fall on a Sunday, the nomination or poll, as the case may be, shall be holden on the next day.

Place of Voting.

12. The voting shall take place in such place in the city of New Westminster as the Chief Inspector of Police for the time being of British Columbia shall appoint, and such person, or in his absence, such person as the Governor shall appoint, shall for the purpose of this proclamation be the returning officer.

13. The returning officer shall, on the 25th day of July in each year, make out a list of qualified voters, and such list shall be final and conclusive.

The returning officer shall give at least seven days' public notice of the place of voting.

Qualification of Voters.

14. Being a male of full age.

Being, at the time of tendering his vote aforesaid, placed on the list of voters. Provided always, that at the first election of councillors, which shall be holden at New Westminster, the voters shall be such male persons of full age as shall, being owners or lessees of a town lot or part of a town lot in New Westminster aforesaid, be placed upon the list of voters for that purpose by the Chief Inspector of Police of British Columbia aforesaid, who is hereby authorized to make up such list of voters and to take such measures for that purpose as he may think proper.

Disqualification of Voters.

15. Being a sheriff, or a sheriff's officer, or returning officer.

Being a bankrupt, insolvent debtor, or outlaw, or having been convicted for felony.

16. Every person tendering his vote at any election of a councillor shall, before voting, take such of the following oaths as he may be required by some other duly qualified voter.

I.—I, *A. B.*, do hereby swear that I am the same *A. B.* who is mentioned on the list of voters, and that I am now in my own right possessed of or tenant of (statement of qualification), in respect of which I have been entered on the (list of voters or assessment roll, as the case may be).

II.—I, *A. B.*, do hereby solemnly swear that I have not received or been promised, or to my knowledge has any other person on my behalf or for my benefit received or been promised, any money, gift, advantage, place, or consideration for or for the purpose of influencing the vote which I now tender.

Nomination and Poll.

17. The returning officer shall, on the day of nomination, nominate such persons as shall present themselves before him, or who shall be put in nomination in their behalf by some duly qualified voter, as candidates for the office of councillor. A show of hands shall then take place, and the returning officer shall thereupon declare which of the candidates has or have been elected by the show of hands.

Any candidate may demand a poll, which shall be taken on the day of election, and the returning officer shall immediately after the close of the poll declare who has or have been elected by the greatest number of votes.

18. The poll shall be kept open between the hours of eleven o'clock a.m. and four o'clock p.m.

President of the Council.

19. The councillor who shall be elected by the majority of the Council shall preside at each meeting of the Council, and in case of the death, bankruptcy, insolvency, resignation, or permanent absence of such president, another councillor shall be elected the president.

Vacancies in the Council.

20. In case of the death, bankruptcy, insolvency, resignation, or permanent absence from the city of New Westminster, for the space of three calendar months, of any councillor, the president of the Council shall, by writing, call upon the returning officer to cause some duly qualified person to be elected in the stead of the vacating councillor, by some day not sooner than 21 days from the date of the said notice, and such election shall take place accordingly, and such councillor shall act for the residue of the term for which such councillor so dead, bankrupt, insolvent, absent, or resigned would have held the same.

Custody of Poll Books.

21. The returning officer shall, within forty-eight hours after the declaration of the poll, deliver over the poll books to the stipendiary magistrate of New Westminster.

22. Any person may obtain a certified copy of the poll books from the stipendiary magistrate aforesaid upon payment of one shilling per folio.

Validity of Elections.

23. The validity of all elections shall be tried by the returning officer aforesaid for the time being, and his decisions thereon shall be final.

Proceedings of the Council.

24. All acts whatsoever authorized or required by virtue of this proclamation to be done by the Council, and all questions of adjournment, or others, that may come before the Council, may (save as herein-after excepted), be done and decided by the majority of the members of the Council who shall be present at any meeting held in pursuance of this proclamation, the whole number of members present at such meeting not being less than four; and at such meeting the president of the Council, if present, shall preside, and the president, or, in the absence of the president, such councillor as the members of Council then assembled shall choose to be the chairman of that meeting, shall have a second or casting vote in all cases of equality of voters; and minutes of the proceedings of all such meetings shall be drawn up and fairly entered into a book to be kept for that purpose, and shall be signed by the president or councillor presiding at such meeting; and the said minutes shall be open to the inspection of any person, who may also make copies thereof and extracts therefrom, at all reasonable times, on payment of a fee of one shilling.

25. Previous to any meeting of the Council, a notice of the time and place of such intended meeting shall be given three clear days at least before such meeting, by fixing a copy of the said notice on the door of the place of meeting, on the door of the magistrates' court, and on the door of the Post Office, and such notice shall be signed by the president of the Council, who shall have power to call a meeting of the Council as often as he shall think proper; and in case the president shall refuse to call any such meeting after a requisition for that purpose, signed by three members of the Council at the least, shall have been presented to him, it shall be lawful for the said three members to call a meeting of the Council, by giving such notice as is herein-after declared in that behalf, such notice to be signed by the said members, instead of the president, and stating therein the business proposed to be transacted at such meeting; and in every case a summons to attend the Council, specifying the business proposed to be transacted at such meeting, signed by the president or members, as the case may be, shall be left at the usual place of abode of every member of the Council, or at the premises in respect of which he is placed on the municipal assessment roll, three clear days at least before such meeting, and no business shall be transacted at that meeting other than the business which is specified in the notice. Provided, however, that there shall be four quarterly meetings in every year, at which the Council shall meet for the transaction of general business, and no notice shall be required of the business on such quarterly days; and the said quarterly meetings shall be held at noon, on the 15th day of August, or, if the 15th day of August shall fall on a Sunday, then on the 16th day of August, and upon such other three days as the Council at the quarterly meeting on the 15th day of August shall decide.

26. The Council may, out of their own body, from time to time appoint such and so many Committees, either of a general or special nature, and consisting of such members as they may think fit, for any purpose which, in the discretion of the Council, would be better regulated and managed by means of such Committee. Provided always, that the acts of every such Committee shall be submitted to the Council for their approval.

27. The Council shall determine their own place of meeting.

Powers of the Council.

28. The Council shall have power to pass bye-laws for any of the following purposes:—

- I. To regulate the sanitary condition of the said city.
- II. To regulate the markets situate within the said city.
- III. To provide means for the preservation of the said city from fire, and to regulate all matters affecting the liability of the said city to fire.
- IV. To provide for the prevention and removal of nuisances.
- V. To regulate the introduction of diseased and unhealthy meat, and to provide for the inspection of the same.

29. The Council shall also have power, by a resolution passed as herein-after mentioned, to devote any portion of the monies raised by the assessments herein-after mentioned to any of the following purposes:—

- A. The construction, erection, maintenance, and repair of the streets, ways, footpaths, and bridges situate within the said city.
- B. The drainage and sewerage of the said city.
- C. The improvement of the sanitary condition of the said city.
- D. The clearing of the lots situate within the said city.

30. Every bye-law shall be passed by the vote of at least four members of the Council, and at a meeting where at least five members of the Council shall be present. The bye-law passed by the said

Council shall, when confirmed by the Governor for the time being of British Columbia, have the force of law.

31. The penalty by which any bye-law may be sought to be enforced may be stated in the bye-law, and if no penalty is therein mentioned, the breach of any bye-law shall be punished in a summary way by a fine not exceeding 10*l.*, or by imprisonment for any time not exceeding three months, at the discretion of the magistrate before whom the offender may be brought. The magistrate before whom any offender may be brought, may, in case of a fine, adjudge that such offender shall pay the same either immediately or within such period, or by such instalments as the said magistrate shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress or sale of the goods and chattels of the offender, and for want of a sufficient distress, such offender may be imprisoned, with or without hard labour, in the common gaol, for any term not exceeding three months, or for the period mentioned in the bye-law, as the case may be. The imprisonment to cease, if for default, upon payment of the fine and costs.

32. The Council may, by a resolution passed in manner provided for the passage of a bye-law, devote any portion of the municipal funds, not exceeding in the whole for any one year one-third of the municipal revenue, towards defraying the ordinary expenditure of the Council, in the conduct of its general business, and to any of the purposes in respect whereof the Council is empowered to pass bye-laws.

33. Provided always, that the Council shall have no power to incur any personal liability other than a liability for the misapplication of the municipal revenue, or any liability against the municipality, or the revenue thereof, beyond the municipal revenue of the city for the current year.

34. The Council may, by a bye-law passed and confirmed as aforesaid, direct that a tax be levied on all town lots within the said city, and all erections thereon, other than the property of the Government, not to exceed 2*l.* in the 100*l.* on the value of such town lots and erections as aforesaid. Such value to be assessed as herein-after mentioned.

Provided always, that such tax shall not extend over or be levied for a longer time than the financial year in which the same is authorized to be levied by any bye-law aforesaid.

35. The Council may, if called on so to do as herein-after mentioned by a bye-law passed and confirmed as aforesaid, direct the levy of a further rate, not exceeding 5*l.* in the 100*l.* on the value aforesaid, in addition to the rate lastly herein-before mentioned, and to continue for the same period; provided always, that such further rate shall not be levied until a requisition to that effect shall have been made in writing by a majority of the ratepayers on the assessment roll. Such further rate to be of the amount specified in such requisition.

Assessment Roll.

36. An assessment roll shall on such day in each year as the Council shall appoint be prepared by or on behalf of the Council, and the freehold and leasehold property situate within the said city shall be therein specified, together with the names of the persons occupying the same and the names of the persons owning the same.

An assessor shall be appointed for the purpose of making such assessment by the Council, and the said assessor shall make such assessment according to the actual value of the property at the time of such assessment, and lay the same before the Council within fourteen days from the said day of assessment. The assessment shall be made as well on the leasehold interest of every lessee of any portion of a lot as upon the freehold interest of the same lot. Any person so assessed may, if he feels himself aggrieved by the assessment, appeal to the Council, who shall summarily decide thereon.

The decision of the Council shall be final. The Council may, in addition to the bye-laws which they are authorized to make as aforesaid, make bye-laws providing for the manner in which such appeal may be conducted. Such bye-law to be passed and confirmed, and to have the force aforesaid.

In the event of nonpayment by any person of any rate or tax duly imposed by the Council, the same may be levied by the magistrate of the said city, by distress on the goods and chattels of the person liable to pay the same, and in default of a sufficient distress by sale of the lot, or portion of a lot, together with the erections aforesaid, in respect of which such rates or tax shall have been imposed, within 30 days from the day on which such payment ought to have been made, and such sale shall be made in manner provided for the sale of lots in clause 37, and such sale shall have exactly the same effect as if made under such clause.

Clearing of Lots.

37. The Council may give notice to any persons, owners of town lots within the said city, by advertisement in the *Government Gazette* and local newspapers, to cut down, within any time to be mentioned in such notice, not being less than 30 days from the date of the insertion of such notice, all timber and other trees standing thereon, except such as may be reserved with the consent of the Council for ornament; and in case such notice be not complied with, the Council shall have power to cause the said timber and other trees to be cut down at the expense of the person or persons on whose lot the same may be, and if such person or persons do not, within 60 days after the timber or other trees shall have been cut down as aforesaid, defray such expense, the magistrate may adjudge that such person or persons shall pay the same, either immediately or within such period as the said magistrate shall think fit; and in case such sum of money shall not be paid at the time so appointed,

BRITISH
COLUMBIA.

the same shall be levied by sale of the lot upon which such timber or other trees shall have been so cut down as aforesaid, in manner herein-after mentioned.

Any sale so adjudged to be made as aforesaid shall be made upon the simple order of the magistrate in writing, upon such day and in such manner as the said magistrate may specify in such order, and the magistrate shall convey such lot to the purchaser at such sale, and the title of such purchaser shall be an absolute fee simple, notwithstanding any irregularity or informality in such sale, or in the proceedings prior thereto or subsequent thereon.

The magistrate aforesaid shall defray the expenses of and attendant upon the said sale, and such expenses for cutting down as aforesaid, out of the purchase monies arising from such sale, and shall pay the residue of such purchase monies into the Treasury of British Columbia, in trust for the person or persons to whom as real estate it may belong.

Provided always, that in no case shall the expense of clearing any lot so to be cleared as aforesaid exceed the sum of seven pounds sterling.

Provided, that unless the Council shall completely cut down the trees on any lot, no demand shall be made on the owner, nor shall any sale of any such lot be made under the provisions of this Proclamation.

38. This Proclamation may on all occasions be cited as the "New Westminster Municipal Council Act, 1860."

(L.S. Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this Sixteenth day of July, in the year of our Lord One thousand eight hundred and sixty, and in the Twenty-fourth year of Her Majesty's reign, by me,

(Signed) JAMES DOUGLAS.

By his Excellency's command.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

SCHEDULE.

First Part.

All that tract of land now marked and laid out on the Official Map as the city of New Westminster.

Second Part.

All that tract of land which includes the pieces of ground described on the Official Map of the said city as Blocks 1, 2, 8, 9, 10, 11, 22, 23, and 28.

Third Part.

All that tract of land which includes the pieces of ground described on the Official Map of the said city as Blocks 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, and 17.

Fourth Part.

All that tract of land which includes the pieces of ground described on the Official Map of the said city as Blocks 24, 25, 26, 29, 30, and 31.

Fifth Part.

All that tract of land which includes the pieces of ground described on the Official Map of the said city as Blocks 18, 19, 20, 21, 27, 32, and 33.

No. 11.

No. 11.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 76.)

MY LORD DUKE,

Victoria, Vancouver Island, August 16, 1860.

(Received October 8, 1860.)

* Page 13.

THE intelligence I had the honour to communicate to your Grace in my Despatch, No. 70,* of the 3rd instant, respecting the discovery of rich and paying gold fields at Rock Creek and in the Shimilkomeen country, have been confirmed by the arrival of different persons with samples which they themselves have dug in those parts.

The gold is nuggety and of fine quality, being readily separated from the soil without the use of quicksilver, and is found away from the watercourses as well as in the river beds, and the miners are said to be realizing from six to 50 dollars a day to the man.

2. One instance of remarkable success is mentioned in the report of Mr. O'Reilly, the Gold Commissioner at Fort Hope, it being of two miners, who realized in six weeks by mining the sum of 1,300 dollars, and their confidence in the productiveness of the country was so great that they soon after invested the whole sum in the purchase of another claim.

3. In consequence of those reports there has been a great rush of people to the new diggings, and all articles of consumption are scarce and selling there at a high price.

4. The same report mentions the very important discovery of a silver lead at Union Bar near Fort Hope.

5. The specimens of the ore sent here appear rich and valuable, but it is impossible to predict without a severer test the actual value of the discovery, and whether the lead will be rich enough to pay the working expenses or not.

6. The discoverers, and upwards of 70 other persons who have recorded claims on the lead appear, however, to be much elated, and fully satisfied of its value; and they are said to be importing blasting tools and materials in large quantities, with the intention of turning the discovery to immediate account.

7. Several tons of the ore having already been sent to New Westminster for assay, and we will no doubt receive further reports of its value in the course of a few days.

8. Specimens of silver ore have also been found at the mouth of Harrison's River. One of these yielded on assay, at the rate of 20% worth of silver to the ton of ore.

9. I propose to despatch a party to investigate the mineral resources of that part of the country, in hopes of making some valuable discovery, which may attract and afford employment to a population, as the whole country about Harrison Lake is otherwise valueless, being mountainous, rocky, and utterly unfit for tillage.

10. The tidings from Yale, Cayoosh, and Lytton are generally satisfactory.

11. The new roads are progressing apace, and the cost of transport is being gradually reduced with the increasing facilities of communication.

12. The number of miners collected about Alexandria and Quesnel River rendered it necessary for the maintenance of peace and order to form a police station at the former place; and I have to announce to your Grace that I have lately appointed Mr. Philip H. Nind, as Magistrate and Assistant Gold Commissioner for that district.

There being nothing further of an unusual nature to communicate,

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

No. 12.

No. 12.

COPY of DESPATCH from GOVERNOR DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 86.)

Victoria, Vancouver Island, October 8, 1860.

MY LORD DUKE,

(Received November 30, 1860.)

HAVING very recently completed a rather protracted journey, exceeding five weeks of almost constant travelling, in British Columbia, I regret that there is not time to communicate to your Grace, by the mail of this day, now about leaving for San Francisco, the result of my observations on the character and prospects of that Colony.

2. On leaving Vancouver Island I proceeded by the northern, or Harrison River road to Douglas, and from thence successively visited Cayoosh, Lytton, Shimilkomeen, and Rock Creek. On my return I followed the mountain road to Hope, and afterwards paid a hasty visit to Yale and New Westminster.

3. The lately discovered gold district in Shimilkomeen is, for the time being, attached to the Hope district, a course which I was compelled to adopt for want of an efficient officer at that time to conduct the public business of the new district.

4. The fame of the rich diggings discovered at Rock Creek have drawn to that place, chiefly from the State of Oregon, upwards of 500 miners, and persons engaged in other pursuits. I therefore found it necessary to lose no time in making arrangements to maintain the peace and to protect the public revenue by the appointment of a Magistrate and Gold Commissioner for that district, together with other officers to enforce the Customs laws of the Colony, and that object was, I am happy to say, effected without creating any dissatisfaction among the foreign population there present.

BRITISH
COLUMBIA.

5. I am further glad to report that peace and good order exist everywhere within the Colony, and that a general and marked feeling of confidence is exhibited by the resident population in the resources of the country.

6. I shall endeavour to prepare a report of my late proceedings for your Grace's information, before the departure of the next mail.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

No. 13.

No. 13.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(Separate.)

Victoria, Vancouver Island, October 9, 1860.

(Received, December 18, 1860.)

MY LORD DUKE,

(Answered, No. 66, February 1, 1861, page 68.)

I HAVE the honour to submit for your Grace's information the following particulars relative to a recent journey in British Columbia, from whence I have just returned.

2. I left Victoria by the regular steam packet on the evening of 28th of August, and early next day landed at New Westminster.

3. I heard with much concern on my arrival there, that the capital was suffering from one of those fluctuations in commerce common to all countries, and that there was much depression in business circles, and a marked decrease of trade, a fact which was indeed corroborated by the Customs returns, it appearing from them that the imports for the four previous weeks had fallen off about 25 per cent. as compared with the increasing ratio of the preceding month; a casualty generally attributed by business men to the growing overland trade with the possessions of the United States in Oregon and Washington territory, which now supply, by the southern frontiers of the Colony, a large proportion of the bulky articles, such as provisions and bread stuffs, consumed in the eastern districts of British Columbia; and those imports, it was supposed, had this year been for the most part fraudulently introduced, to the great loss and detriment of the home merchant and the fair trader.

4. It is, however, not easy to conceive how so extensive a contraband trade as this would imply, could be carried on without the knowledge of the vigilant officer stationed on the frontier for the protection of the revenue, whose official reports give no room for such impressions. I am therefore led to believe that the present depression is traceable to another cause, and may with more probability be regarded as the simple result of over-importation, and I have no doubt a revival will take place, and trade resume its accustomed tone as soon as the stocks of goods in the Colony have been reduced.

The officers of the Colony residing permanently at New Westminster, and employed in the management of the several departments of the public administration, are as follows:—

Military	-	Colonel R. C. Moody, R.E., commanding.
Lands and Works	-	Colonel R. C. Moody, R.E., Chief Commissioner.
Judiciary	-	Matthew B. Begbie, Judge.
Police	-	Chartres Brew, Chief Inspector.
Treasury	-	Captain W. D. Gosset, R.E., Treasurer.
„ Assay Office	-	F. G. Claudet, Assayer.
„	„	C. A. Bacon, Melter.
Customs	-	Wymond Hamley, Collector.
Post Office	-	W. R. Spalding, Postmaster.

6. The Treasury was lately transferred from Victoria to New Westminster, where all the financial business of the Colony is now transacted.

The Assay Office has been in operation since the beginning of the month of August, and the last accounts of the 28th of that month give a return of 1,600 ounces of gold dust which had been smelted and run into bars of various weights.

Those and the other departments are in a state of efficient organization.

The public offices are plain substantial buildings, devoid of ornament, and constructed on a scale adapted to our limited means; they are nevertheless roomy and commodious, and on the whole not unsuitable to the present business of the Colony.

7. There has not been much activity in building since my report transmitted to your Grace in the month of May last, but town property nevertheless sustains its former price,

and the inhabitants of New Westminster appear to have unlimited confidence in the ultimate progress of the place.

8. The run from New Westminster to Douglas was effected by one of the river steamers in 16 hours, including brief stoppages at Langley and Carnarvon, and the whole distance from Victoria to Douglas in 24 running hours, being little over half the time occupied by the same journey last year. The charges on the transport of goods have also proportionately decreased, freights being now generally taken at 3*l*. 8*s*. a ton, or 25 per cent. less than the former rates.

9. While at Douglas I despatched an exploring party under the command of Dr. Forbes, of Her Majesty's ship "Topaze," for whose assistance I am indebted to the kindness of Rear Admiral Sir Robert L. Baynes, to examine the country bordering on Harrison Lake and River, where many fragments of silver and copper ore have been found. A specimen of the former, which was carefully assayed, gave a return of 50*l*. worth of silver to the ton. The copper ore appears also to contain a large proportion of that metal.

10. I am in hopes that Dr. Forbes's scientific researches will be productive of much good to the Colony, as the district subjected to his examination has all the characteristics of a mineral country, is almost destitute of arable land, and, except timber, possesses no ascertained natural products capable of contributing to the support or giving remunerative employment for labour. It is, therefore, especially desirable that no effort should be wanting for the early development of the minerals supposed to be contained in the soil, otherwise the district may, for years to come, remain a wilderness without inhabitants.

11. Douglas is still an inconsiderable town, much improved, however, since my former visit in June last. A Stipendiary Magistrate is stationed here, Mr. J. B. Gaggin, who also performs the duties of Gold Commissioner within the district, which extends from Carnarvon to Port Anderson. A brisk trade is carried on from Douglas with the mining districts of the interior, and the constant arrival and departure of trains of pack-mules give to the place a lively and bustling appearance.

12. We pursued our journey by the newly formed waggon road, then nearly finished, as far as the Lesser Lillooet Lake, 28 miles from Douglas, a work of magnitude and of the utmost public utility, which, I think it only right to inform your Grace, has been laid out and executed by Captain Grant and a detachment of Royal Engineers under his command with a degree of care and professional ability reflecting the highest credit on that active and indefatigable officer.

13. A number of waggons, imported by the enterprising merchants of Douglas, have commenced running on the new road, and the cost of transport has already been greatly reduced. I look forward with confidence to further important reductions in the rates of transport, as the most experienced carriers are of opinion that goods of all kinds may and will be carried the whole distance (100 miles) from Douglas to Cayoosh for 20*l*. a ton, which would be a reduction of 250 per cent. on former rates. The effect of so large a saving on the carriage of goods will be of vast importance to the country, and no doubt give a prodigious impulse to trade and the settlement of the public lands.

14. A row-boat is still the only means of conveyance over the Lesser Lillooet Lake, which is nearly five miles long, and one mile and a half distant from Lillooet Lake, with which it is, however, connected by a narrow river, full of shoals and dangerous rapids, perilous in their present state for any larger craft than Indian canoes. This circumstance renders a transshipment and a resort to land carriage for a mile and a half on an excellent road necessary before reaching Lillooet Lake. Various plans have been proposed for rendering the river between those lakes navigable, but, important as would be the improvement, the cost is altogether beyond our present means, and the work must be left for a future time.

15. A very fine piece of gold-bearing quartz, which I received at this point of my journey, determined me to instruct the District Gold Commissioner to cause the mountains west of Harrison River, where the quartz was found, to be carefully examined, as there is a possibility of discovering and turning to advantage the lead from whence it came.

16. There are many extensive quartz veins in the valley of the Harrison, but none of those which have been inspected contain visible traces of gold. The bed of the river, however, yields gold almost everywhere in small quantities; and at one place, 12 miles from Douglas, a party of French miners have brought in sluices, and are now working to great advantage, making as much as 10 dollars a day to the man. The only drawback is the shortness of the working season, which they represent as limited on the one hand by the flooded state of the river in summer, and on the other by the severe cold in winter, which is found to have the effect of preventing the amalgamation of the fine

particles of gold, and much is therefore lost in the process of washing. Their statements are, no doubt, in part true, but I think it may, notwithstanding, be safely concluded that all these difficulties will be overcome, and this part of the country be profitably worked, whenever men of greater skill and application turn their attention to the subject.

17. Some of the tributaries of the Harrison also yield a fair return of gold, varying from five to 10 dollars a day; but that will not satisfy men whose excited imaginations indulge in extravagant visions of wealth and fortune to be realized in remoter diggings. These all with one accord rush off to the Quesnel and Caribœuf countries, and neglect the less productive districts.

18. A number of fine specimens of coarse gold have lately been brought by Indians from the Lillooet River beyond the lake, and I shall not fail to have its course carefully searched, at the public expense, should no private adventurers in the meantime anticipate that intention.

19. The paddle-wheel 25 horse-power steamer "Martzell," a small boat of 50 tons burden, built by Mr. Decker, an enterprising American, conveyed my party in four hours to Port Pemberton, at the further extremity of Lillooet Lake. There is nothing to prevent vessels of a much larger class than the "Martzell" from running on this lake, as it is deep enough to float a 500 ton ship, and there are no rocks or concealed dangers whatever. It is, in fact, a highland lake, surrounded by lofty mountains rising abruptly from the water's edge. Port Pemberton is five miles distant from the Meadows, a fine tract of several thousand acres of rich alluvial land, situated at the mouth of the Lillooet River. A settlement is already formed at that attractive spot, and the soil is most productive, the settlers having raised this year excellent crops of oats, Indian corn, potatoes, and hay; the barley, however, was indifferent, in consequence it was supposed of imperfect tillage, but I never saw better garden-stuffs of all kinds, especially tomatoes and cucumbers, which were exceedingly fine. Mr. Jones, the oldest and principal settler, raised last year, as he assured me, a very fine crop of potatoes, for which he found a ready sale at 5*d.* a pound, and thereby realized the large return of upwards of 240*l.* an acre. Having this year a much larger crop, he expects to do better, though the price of vegetables is now comparatively moderate, being 50 per cent. lower than last year.

20. Near the settlement is an Indian reserve of several hundred acres of land which is retained for the benefit of and occupied by about 30 native families, who live on the most amicable terms with their white neighbours, and look healthy, clean, and altogether in very comfortable circumstances. They live by fishing, and on the produce of the chase, and of the land, which they cultivate, to some extent, with care and skill. They appear happy and contented, and had no complaint whatever to make.

21. The Horse-way, formed in the year 1858, is still the only road from Port Pemberton to Anderson Lake, the distance being about 34 miles. It is a fair and passable road of the kind, but must be improved into a cart-road without delay. The line of road runs between parallel ranges of mountains, rising on both sides with the unbroken regularity of a wall, into dark, rugged, and gloomy masses, thousands of feet above the mountain stream that traverses the valley beneath, which is in places a mere defile, and nowhere exceeds two miles in breadth.

The summit or half-way house is prettily situated on the mountain side overlooking a rich expanse of arable land covered with a profusion of potatoes, beets, carrots, tomatoes, cucumbers, and other vegetables; a certain proof of the great capabilities of the soil and climate. A large stock of hay was also carefully put up by the provident owner for winter use.

22. The country from that point presents a more cheerful aspect. The river winds along the mountain side towards Lake Anderson, affording lovely views of the exceedingly beautiful valley beneath, with its gay covering of bright green woods.

23. We arrived at Port Anderson just in time to participate in the trial trip of the "Lady of the Lake" steamer, and a most successful one it proved to be: the machinery working well, and no casualty whatever occurring to cause delay. We had to boat over Lake Seaton, as the steamer usually plying there was under repair. A walk of five miles from Port Seaton brought us to the banks of Fraser River, and to the mining town of Cayoosh.

24. The country between Douglas and Cayoosh probably contains a smaller proportion of agricultural land than any other district in British Columbia. The whole district may be truly described as a succession of valleys and mountains covered with woods almost to their rocky summits, and abounding in rivers and streams of every size. Forests of magnificent trees and great water-power constitute its natural advantages; its metalliferous resources, though probably vast, having yet to be explored.

25. Houses and fields begin, here and there, to break the cheerless solitude of the valleys; and in no instance that has come under my notice, has the husbandman been disappointed of his reward. Its genial climate may be inferred from the fact that tomatoes ripen in the open air, and had come to full maturity at the end of August; when melons raised in the same manner, were nearly fit for use.

26. The settlers, though few in number, were full of hope and confidence; pleased with the country, and satisfied from experience that the climate is one of the healthiest in the world. The winters are moderate, the minimum temperature being Zero, Fahrenheit; but the cold is seldom so severe. The lakes have never been known to freeze, nor the snow to lie so deep as to interrupt the ordinary traffic of the road.

27. The district is, in short, not wanting in any of those conditions which contribute to the comfort and happiness of man; and should the explorations now in progress add the precious metals to its known elements of wealth, there will be no want of inducements to attract and retain an industrious population.

28. As the road advances from Port Seaton towards Fraser River, a marked change is observed in the character of the country; the mountains are left behind, the massive forests gradually disappear and are succeeded by green hills and open plains, dotted with fine old trees of the species "*Pinus Ponderosa*." The change is grateful, the contrast bringing into bolder relief the charming scenery of Cayoosh, which is situated about half a mile from Fraser River.

29. This being the centre of a flourishing trade, where all goods brought from Douglas are necessarily deposited in their transit to the interior, and the chief town of a valuable mining district, a Stipendiary Magistrate, Mr. Thomas Elwyn, who also acts as Gold Commissioner, is stationed here. Successful attempts at cultivation have been made on a small scale near the town, and streams of water from the neighbouring hills have been skilfully diverted from their natural course and applied to the important purposes of mining, and of irrigating the soil, which thereby acquires a degree of fertility and productiveness otherwise unattainable in a climate seldom visited by summer showers. Cayoosh is thus a place of much real and prospective importance.

30. I found nothing defective in the state of the public administration. The people are satisfied with the laws. The district accounts appear to be kept with order and regularity, and returns of the local revenue have been duly made at proper intervals to the Colonial Treasurer. The regular establishment consists of a magistrate and one constable, who attend to all duties connected with the public service; the former being however, fully authorized to employ casual aid whenever emergencies arise.

31. An address which I received from the principal inhabitants of Cayoosh makes no allusion to any local grievance affecting the interests of the town or district, nor suggests any change in the mining or general laws of the country. The object of the address, of which a copy is transmitted, was to urge the early sale of town lots at Cayoosh, protection for the Chinese miners, and the removal of stake nets and all obstructions having the effect of preventing the ascent of salmon from the sea to the inland rivers.

32. I gave immediate attention to those matters, and addressed a communication to the Commissioner of Lands and Works, expressing regret that early measures had not been taken to meet the public demand for town land, as delay in such cases discourages settlement, checks improvement, and is ruinous to the country.

33. I encouraged the inhabitants to build, and improve their lots, with the assurance that the value of such improvements would be added to the upset price, and reserved for the benefit of the holder when the lots are sold. They will, in that way be fully protected from loss.

34. The assizes were opened by the Judge of British Columbia during my stay at Cayoosh, for the trial of two Indians charged with having murdered two Chinese miners. The facts were established on the admission of the accused themselves; but, it appearing from the evidence that the deceased were the aggressors, and had been slain without malice prepense, in a casual affray, arising out of an indecent assault committed on the wife of one of the Indians, the jury returned a verdict of "manslaughter" against one of the prisoners, and found the other "not guilty."

35. I had an opportunity of communicating personally with the native Indian tribes, who assembled in great numbers at Cayoosh during my stay. I made them clearly understand that Her Majesty's Government felt deeply interested in their welfare, and had sent instructions that they should be treated in all respects as Her Majesty's other subjects; and that the local magistrates would attend to their complaints, and guard them from wrong, provided they abandoned their own barbarous modes of retaliation, and appealed in all cases to the laws for relief and protection. I also forcibly impressed

BRITISH
COLUMBIA.

upon their minds that the same laws would not fail to punish offences committed by them against the persons or property of others.

I also explained to them that the magistrates had instructions to stake out, and reserve for their use and benefit, all their occupied village sites and cultivated fields and as much land in the vicinity of each as they could till, or was required for their support; and that they might freely exercise and enjoy the rights of fishing the lakes and rivers, and of hunting over all unoccupied Crown lands in the colony; and that on their becoming registered free miners they might dig and search for gold, and hold mining claims on the same terms precisely as other miners: in short, I strove to make them conscious that they were recognized members of the commonwealth, and that by good conduct they would acquire a certain status, and become respectable members of society. They were delighted with the idea, and expressed their gratitude in the warmest terms, assuring me of their boundless devotion and attachment to Her Majesty's person and crown, and their readiness to take up arms at any moment in defence of Her Majesty's dominion and rights.

36. Three exploratory parties were dispatched, during my stay, from Cayoosh: the first, under the charge of Sapper Duffie, had orders to examine a route by the Cayoosh River from Port Seaton to Lilloet Lake, reported by the natives to be more direct, and in many other respects more convenient than the present route by Anderson Lake; the second, under Sapper Breckenridge, who is directed to examine the character and capabilities of the country between Cayoosh and Bridge River; and the third, composed of Mr. Martin, an intelligent English miner, and two natives, was dispatched to the mountains east of Port Anderson to inspect certain quartz veins, said to be auriferous.

37. Lytton was the next stage in my progress. There is a good horse-way from Cayoosh, but travelling by the river being more expeditious, I chose that alternative, and made the run of 70 miles in five and a half hours. The stream is swift, and a number of dangerous rapids render it in that part impracticable in high water and unsafe at all seasons.

38. The mining bars were, with few exceptions, deserted, or occupied by Chinese and Indians, who appear to form the great body of miners on this part of the river.

39. Mr. H. M. Ball is Stipendiary Magistrate and Gold Commissioner for the Lytton district; and, with the exception of one regular constable, there is no other person on the establishment; whenever circumstances render a larger force indispensable, it is made up by means of casual assistants and special constables called out for the occasion.

40. I granted a sum of 100£, at the petition of the inhabitants, in aid of a horse-way to facilitate the transport of goods to Alexandria and Quesnel River. Other small sums were also granted for bridges, and to improve the communications with Quayome. A party was also dispatched to examine the country between Van Winkle Bar on Fraser River and Lilloet Lake, with the view of opening a horse-way between those places.

41. Proposals were lately made by a private company to throw a bridge, at their own expense, over the Thompson at Lytton, to be repaid by a system of tolls; and the negotiation will probably be concluded in a short time, as I am desirous of promoting so useful a scheme.

42. The gardens about this town are highly productive, and furnish a profusion and variety of vegetables; but, considering there is no want of good soil and clear land, I was surprised to find that not a single farm had been opened in the district. The want of roads and the enormous cost of transport may in some measure account for that circumstance, but it also strongly marks the character of a population devoted to other pursuits, and who probably look to other countries for a permanent home.

43. Complaints were made here, as at Cayoosh, of the non-sale of town lands; and I again addressed the Commissioner of Lands and Works on the subject, directing an early sale on the spot, through the agency of the district magistrate.

44. The Indians mustered in great force during my stay at Lytton. My communications with them were to the same effect as to the native tribes who assembled at Cayoosh, and their gratitude, loyalty, and devotion were expressed in terms equally warm and earnest.

45. The further report of my journey to Shimilkomeen and Rock Creek I will take the liberty of communicating to your Grace hereafter, as this Despatch has been drawn out to a greater length than I had proposed.

I have, &c.

(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 13.

ADDRESS of the GRAND JURY at CAYOOSH to GOVERNOR DOUGLAS.

BRITISH
COLUMBIA.

Encl. in No. 13.

THE Grand Jury beg to welcome your Excellency to Cayoosh, and to offer you their congratulations on the daily increasing prosperity of the Colony of British Columbia, and on the steady advance of trade, mining operations, and settlement in and near Cayoosh.

The Grand Jury desire to call your Excellency's attention more particularly to the great number of Chinamen now residing in and flocking to this Colony; that from our experience of them we find that they are a steady source of profit to the trader and materially increase the revenue of the Colony, and in addition greatly benefit the country by the extreme development of its mineral resources; they are also a well-behaved and easily-governed class of population, and the Grand Jury desire that your Excellency will afford them every due protection to prevent their being driven away, either by attacks from Indians or otherwise.

The Grand Jury representing the general feeling of the inhabitants of this town request that the town and suburban lots be speedily offered for sale by public auction, as no security is felt in improving property until it is bona fide purchased.

The Indian population of the Upper Fraser have been making great complaints of the scarcity of salmon, which constitutes their winter food. They represent this scarcity to be owing to stake-nets being fixed at Langley, which bar the ascent of the fish, and the Grand Jury therefore trust that your Excellency will take measures to stop these proceedings, if really found to exist.

The Grand Jury would, in conclusion, draw your Excellency's attention to the inefficient state of the law as relates to the collection of small debts, and request that measures may be instituted to prevent, by a summary process, parties who have contracted debts from leaving the Colony with their property.

(Signed) ALLAN McDONALD,
Foreman.

No. 14.

No. 14.

COPY of DESPATCH from GOVERNOR DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(Separate.)

Victoria, Vancouver Island, October 25, 1860.

(Received January 2, 1861.)

MY LORD DUKE,

(Answered, No. 66, February 1, 1861, page 68.)

RESUMING the subject of my report on British Columbia, marked Separate, of the 9th of the present month, I proceed to inform your Grace that on leaving Lytton, accompanied by Mr. Good, Private Secretary, and four mounted attendants, my course was directed towards Shimilkomeen and Rock Creek, the latter being about 228 miles from Lytton.

2. It is not my intention, neither does it appear necessary, that I should occupy your Grace's time with a narrative of the incidents of the journey. I will, therefore, in continuing this report, dwell on subjects only which serve to elucidate the present state of the country, its natural capabilities as a Colony, and the effect of its institutions on the development of its resources.

3. With the exception of the miners assembled on Thompson River at Rock Creek and Shimilkomeen, the part of British Columbia through which my route lay, is still exclusively occupied by the native Indian tribes, a race of bold and active hunters, forming, when mustered in force on their hardy native horses, an imposing array. I fell in with detachments at different points of the route, where they had assembled to offer a rude but cordial welcome.

4. I received them with every mark of respect and kindness, entered freely into conversation with the chiefs, assuring them of the warm regard of Her Majesty's Government, and leading them into the discussion of their own affairs in order to discover if they entertained any real or fancied grievance which might lead to disaffection, or induce them to make reprisals on the white settlers.

5. There was one subject which especially pre-occupied their minds, as I discovered by the frequent allusions they made to it, namely, the abject condition to which the cognate native tribes of Oregon have been reduced by the American system of removing whole tribes from their native homes into distant reserves, where they are compelled to stay, and denied the enjoyment of that natural freedom and liberty of action without which existence becomes intolerable. They evidently looked forward with dread to their own future condition, fearing lest the same wretched fate awaited the natives of British Columbia.

I succeeded in disabusing their minds of those false impressions by fully explaining the views of Her Majesty's Government, and repeating in substance what I have in a former part of this report informed your Grace was said on the same subject to the assembled tribes at Cayoosh and Lytton.

BRITISH
COLUMBIA.

Encl. No. 1.

6. Those communications had the effect of reassuring their minds and eliciting assurances of their fidelity and attachment.

7. An appalling Indian outrage committed in the neighbouring State of Oregon, as related with its attendant horrors in a slip enclosed herewith from the "Vancouver Chronicle," will show better than comment the impolicy of the American system, and how careful we should be in guarding against the contagion of evil example, by treating the natives with justice, and removing when necessary, every cause of distrust as to the ultimate views and policy of Her Majesty's Government with respect to them.

8. The country situated between Lytton and Rock Creek is highly attractive, and no other part of British Columbia, nor of the United States territory north of Columbia River, offers so many inducements in point of soil and climate to the enterprising emigrant.

Its distance from the coast, and difficulties of access have hitherto almost excluded it from intercourse; but as those impediments are removed by the formation of roads, now in rapid progress, from the navigable points of Fraser River, it will no doubt become a centre of population and the seat of flourishing settlements.

9. I will not attempt to describe its physical aspect; but to give a general idea in few words, I will observe that it forms an elevated table land of great extent, sometimes rising into hills, and is traversed by many noble valleys, and watered by numberless streams flowing into its great arteries the Thompson, Shimilkomeen, and Okanagon Rivers. There are many varieties of soils, much arable land, and a great deal that is fit only for pasture; but as a remark generally applicable, I may observe that the valleys contain a large extent of good open land; while the steeply swelling hills are mostly covered with trees formed into groups, or growing with park-like regularity, widely apart and free from brush or underwood; but the peculiar feature of the country is the profusion of grass that covers both woodland and meadow, affording rich pastures for domestic animals, a circumstance which gives to this district an extraordinary value, as every part of the surface, whether hill or valley, may be turned to account and made available either for tillage or stock farming.

10. The climate, like that of all other parts of the Colony, is perfectly healthy; and there is much less humidity at all seasons than in the districts bordering on Fraser River. Vegetation was nevertheless fresh and green to a degree that was hardly to be expected at that time of the year. The seasons exhibit no extremes of temperature, the summers being warm and the winters sharp but not severe.

The lakes, except the Okanagon, and all the rivers, freeze in winter; and there are occasional falls of snow, but it seldom lies in the valleys more than a few weeks at a time. The fact that horses and domestic cattle are left out all winter to shift for themselves, and generally thrive without any care on the range of the country, is probably, however, a better criterion of the temperature than any other circumstance that can be adduced. It is in short, a very pleasant and desirable part of the Colony, possesses a healthy climate and many other advantages, pastures being already formed where thousands of cattle may find food; and the industrious colonist will find it much better and easier to raise crops than in the woodland districts, where it takes much labour and expense to clear a small space.

11. After five days' travel in a fine open country we reached the main branch of the Shimilkomeen River, a few miles below the lately discovered gold diggings, where 80 or 100 miners were at work, all seemingly in high spirits, pleased with the country, and elated with their prospects and earnings. Many of them were engaged in putting up log huts, and making other preparations, as they intend to winter there if they succeed in having supplies of flour and other necessities brought from Hope before the mountains become impassable from snow. As that was clearly impossible without greater facilities of communication, it was evident they would have no alternative but to desert their claims and leave the country, at a serious loss to themselves and to the Colony.

12. That circumstance brought the vital subject of roads again forcibly to mind. A road party working out from Hope, had, I knew, nearly got the length of the summit ridge, about 36 miles distant from our camp, and could means be found of cutting through to that point, and connecting Hope with Shimilkomeen by a practicable trail before the advent of winter, I felt assured that an important object for the country would be gained, and I resolved to make the attempt. Some Indian hunters were soon found who undertook to conduct a party to the desired point, by a better and less circuitous line than the present almost impassable trail; and the subject was immediately brought before the miners, who, seeing the object of the measure, at once volunteered in force sufficient for the work, and early the following morning a party properly equipped

with tools, provisions, and means of transport, was dispatched with instructions to open a path which would connect with the horse-way from Hope.

13. Leaving Mr. Good and one of my attendants at this point to urge on the work, and to inquire into the condition of the miners, I pushed on without further delay with my three other attendants in light marching order, towards Rock Creek. On the way I fell in with Mr. Cox, the Revenue Officer of the southern frontier, who joined my party, and after three days travel we arrived at the town known as Rock Creek, situated at the junction of that stream and Colville River.

14. The town contains 15 houses, and several more in progress, chiefly shops and buildings intended for the supply and entertainment of miners.

15. Nearly 500 miners are congregated about Rock Creek and another tributary of the Colville, about 10 miles below that point.

16. The Rock Creek diggings were discovered last October by Mr. Adam Beam, a native of Canada, as he was travelling from Colville to Shimilkomeen; he again visited the spot in December, but did not begin to work till the 7th of May: the following is a statement of his daily earnings with the cradle for the first few days afterwards:—

First day's work produced 20 dollars,			
Second	"	"	43
Third	"	"	33
Fourth	"	"	27
Fifth	"	"	32
Sixth	"	"	17
Seventh	"	"	99

The subsequent record of his daily earnings could not be found, but on the 20th of June, that is, six weeks from the day of commencement, he had made 977 dollars in gold, valuing it at 16 dollars to the ounce.

17. Hugh McKay, another Canadian miner, said that on his claim, the bed-earth of the stream yielded nothing, but a drift into the bank produced 20 dollars a day. I moreover ascertained from the testimony of the miners generally, that none of those who had succeeded in opening gold claims, were making anything less than 10 dollars a day.

18. Rock Creek is supposed to indicate the course of the gold lead, and to be everywhere auriferous; it is also believed that all the benches near the river will pay well; and many of the miners propose running in tunnels without delay. There is much uncertainty however, as to the real extent and value of the lead, nor can it be ascertained until the country comes to be more extensively prospected.

19. I met the assembled population of the place the day after my arrival, and addressed them on various subjects. I did not attempt to conceal that the object of my visit to Rock Creek was to inquire into their conduct, and to suppress the disorders which were reported to be prevalent in that part of the country; and I assured them that I was agreeably surprised to find that those reports were unfounded. After that merited compliment, I proceeded to explain the views of Her Majesty's Government, the general mining regulations of the Colony, especially directing their attention to that section of the Act which provides for the establishment of mining boards, with powers to frame byelaws adapted to the circumstances of each district; or in other words, investing the miners themselves with full powers to amend their own laws. I further pointed out the nature and object of the Pre-emption Law, passed expressly for the encouragement of settlers; and demonstrated the fact that the whole policy of Her Majesty's Government was considerate and liberal in the extreme. I then announced the appointment of Mr. Cox as Justice of the Peace and Assistant Gold Commissioner for the district of Rock Creek; and that he was duly authorized to punish offences, to attend to the maintenance of civil order, to the registration of mining claims, and to receive all dues payable to Her Majesty's Government. I concluded by exhorting them, one and all, as they valued and looked to the laws of the land for protection, to aid and assist him on all occasions, not only as a duty incumbent on good subjects, but as being also their manifest interest; for, I continued, if the laws are not enforced there can be no security, and without security there can be no prosperity; therefore, I went on to say, as you hope for redress yourselves when individually suffering wrong, you must be prepared to rally round the magistrate charged with the execution of the laws.

The meeting ended pleasantly, and the measures announced appeared to give general satisfaction.

20. Mr. Cox then proceeded to the less pleasant task of levying the regular customs charge on all goods found at Rock Creek which had not been entered for importation; such goods being really contraband and legally forfeited, might have been seized for the

BRITISH
COLUMBIA.

benefit of the Crown, had it not been considered inexpedient in the circumstances to inflict the extreme penalty of the law.

21. I left soon afterwards on my return to Fraser River, and have since then added another officer to the revenue establishment at Rock Creek, and authorized the employment of any amount of force when necessary for restraining the illicit importation of goods into British Columbia; and the cost of such extra establishment is to be super-added as a Treasury fine to the import duties. It is, however, impossible, I conceive, altogether to prevent smuggling at places situated so immediately on the frontier as Rock Creek, which is within two miles of the boundary. The simple and only certain means of effecting the object is to under-sell the foreign merchant by supplying goods at the cheapest rate, and much may be done towards that object by improving the communications and lessening the cost of transport from Hope.

22. The total distance from that place to Rock Creek is about 160 miles. By improving the channel of the Shimilkomeen River and rendering it navigable in boats, we may substitute 60 miles of water for land carriage at a great reduction of cost. The improvement of the Shimilkomeen would not involve an outlay of more than 1,000*l.*, while it would reduce the land carriage to 100 miles, by substituting a cheap water conveyance for the remaining 60 miles. With that advantage the whole trade will flow towards Fraser River.

23. The following mining statistics were collected by Mr. Good at Shimilkomeen :—
Mr. Alison's claim produces 10 dollars a day for each man employed.

M'Dowell's claim, 12 dollars a day per man.

Merril and Eddy worked three days, and made from 10 dollars to 12 dollars daily per man.

M'Dougal took out 26 dollars in the cradle the first day; in prospecting his claim he found 1 dollar and upwards to the pan; anticipates earning 50 dollars per man; when sluicing operations commence in about a week's time they will all begin to work.

On examining the country, prospects were so good that they all immediately commenced preparations for sluicing, wing-damming, and other costly works for mining on a large scale.

24. The road party were far advanced with their task on my return to Shimilkomeen, and I took that road to the summit or punch-bowl, where I fell upon the new road from Hope, which is carried over an elevation of 4,000 feet without a single gradient exceeding 1 foot in 12, a fact very creditable to Serjeant M'Call and the detachment of Royal Engineers employed in marking out the line; it moreover suggests the possibility of converting it hereafter into a cart-way. It is even now a great boon to the country, yet it will lose much of its value unless it be kept open for traffic in winter, by sending out parties of men on snow-shoes to beat the roads after every fall of snow, a course which I strongly recommended to the merchants at Hope.

25. The persons who hold the Union and Emory Bar silver leads near Hope are making great exertions to open the works, with, I believe, every probability of a most profitable result.

26. Masses of nearly pure virgin copper have been found in the excavations made for mining purposes above Yale, and valuable outcrops of coal occur on the Shimilkomeen River, but the present value of those minerals is not sufficient to induce the investment of capital.

27. The new horse-way from Yale to Spuzzem is now open for traffic. Unlike the mountain trail which it supersedes, the new road is carried over the mountain side along the course of Fraser River at a moderate elevation, and will be open for travel both in summer and winter. In riding over the face of those frowning cliffs, which a twelve-month ago seemed to defy all efforts at improvement, it was impossible to repress a feeling of thankfulness and intense gratification at the successful issue of our labours, and their probable influence on trade and the development of the country. The arduous part of this undertaking—excavating the mountain near Yale—was executed entirely by a detachment of Royal Engineers, under Serjeant-major George Cann, and it has been completed in a manner highly creditable to themselves and to the officers who directed the operation.

28. The most favourable accounts continue to arrive from the Quesnel River and Caribœuf diggings, confirming all the former reports of the vast auriferous wealth of those districts.

29. An opinion is gaining ground among persons who have closely inspected and studied the phenomena of the gold fields, that there exists a zone or belt of country 50 or 60 miles in breadth, which is the matrix or depository of the gold found in British Columbia. Its course has been partially traced from the neighbourhood of Fort George,

at the forks of Fraser River, for nearly 60 miles in a south-south-east direction; and the theory derives a measure of support from the fact that the rich diggings at Caribœuf, Quesnel River, and Rock Creek,—the latter unknown when the theory was started,—come within the limits which it prescribes. Mr. Nind, the Assistant Gold Commissioner for Quesnel River district, may probably be able to throw light upon the subject, and I await his report with much anxiety, especially as I have had no official communication from him since his appointment. I learn from other sources that the miners in that quarter are making large profits, and that good order and tranquillity reign throughout the district. The want of roads is, however, seriously felt, and has become a general subject of complaint. As soon as those more important communications now in progress are completed, we shall not fail to turn our attention to the remoter districts.

- No. 1. Caribœuf diggings.
No. 2. Rock Creek diggings.
No. 3. Shimilkameen River.
No. 4. Lilloëtt River.
No. 5. Gold quartz.—Lilloëtt Lake.
No. 6. Gold, with quartz.—Queen Charlotte's Island.

30. Some specimens exhibiting the varieties of gold found in British Columbia are forwarded with this report.

I have, &c.

(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 14.

Encl. 1 in
No. 14.

MASSACRE OF AN IMMIGRANT TRAIN BY THE SNAKE INDIANS—45 PERSONS BUTCHERED.

Yreka, October 9, 1860.

The following is an "extra" from the Vancouver Chronicle:—

Vancouver, October 3,—9 P.M.

Forty-five Immigrants murdered.

H. Schreiber has just arrived at the Dalles with news of the massacre by the Snake Indians of an entire immigrant train, consisting of 46 persons, 19 of whom were men, the balance women and children. The party were first attacked about 50 miles this side of Salmon Falls, on the 9th of September. This attack lasted about one hour. The Indians then withdrew and allowed the train to proceed five miles, when they again attacked them. The fight lasted two days and one night.

On the afternoon of the 10th the Indians had possession of the whole train, with the exception of six men, who, being mounted escaped. After travelling through the woods for nine days these six were again attacked, and five of the party killed. Schreiber alone escaping by hiding in the bushes. After travelling seven days, without food, he was found in an exhausted condition by some persons who took him to the Dalles.

Of the 19 males in the party, six were discharged soldiers from Fort Hall. Mr. Schreiber is the only one who escaped. He says that the six men who left on horseback did not leave until the Indians had complete possession of the train; and from the screams of the women and children he was led to believe that the whole party were butchered.

Enclosure 2 in No. 14.

Encl. 2 in
No. 14.

To his Excellency Governor Douglas, C.B., &c. &c. &c.

YOUR EXCELLENCY,

Hope, October 3, 1860.

We the undersigned inhabitants of Hope beg to congratulate you on the approaching termination of the new trail to the Shimilkameen, an object in which you expressed lively interest at the commencement of the year, and on which you were pleased to express your views in a very satisfactory manner on the occasion of your visit to Hope during the summer.

We trust that the plans originated by your Excellency for the formation of the Shimilkameen and other routes of Colonial importance and advantage, may be fully realized by the traffic passing over such routes, and by the continued prosperity of the country as evinced by the late Customs returns.

Large as such quarterly revenue appears, it is not unknown to your Excellency that the amount has been considerably reduced by the absence of Customs duties on the frontier adjacent to the Shimilkameen country. Your personal observation has we doubt not confirmed the reports which are unanimously made of the large amount of supplies introduced from America, the eager eyes turned by all the inhabitants of Washington and Oregon to a gold field so near them, their determination to compete with British Columbia for the supply of her own territories, and the plans in contemplation for establishing a town or towns as near the line as possible.

The inhabitants of British Columbia are not wanting in enterprise and energy, but the different circumstances under which they compete with foreign traders (backed by the sympathy of their nation), both as to capital at command, the aggregate number of competitors, and the motives influencing each, are not we think to be overlooked. We beg to state to your Excellency, that, as a community, we hope not to be behindhand in taking advantage of the Shimilkameen trade, but also to convey our unanimous opinion that the interests of the Colony, as well as our own, demand such arrangements for the collection of revenue on goods entering British Columbia, otherwise than through its present port of entry, as will ensure protection to British trade, and the augmentation of its revenue by means and rates of import at present existing.

BRITISH
COLUMBIA.

We beg to tender your Excellency our thanks for your liberal aid to the Boston Bar trail. Without noticing many interested motives to deery the trail, we can assert that your compliance with our wishes in this respect has fully realized our expectations of benefit to Hope.

Your Excellency's first outlay was the means of our town obtaining a share of the traffic to the upper country, to which we considered ourselves entitled, and your more recent grant will greatly improve the road in placing it in a permanently efficient state, in a portion on which the nature of the ground had made locomotion very difficult.

But the chief argument which will weigh with your Excellency in taking a colonial view of the expenditure is the circumstance of packing having been much reduced through the access afforded to Lytton by this trail.

We have now availed ourselves of the occasion of your Excellency's visit to return you our thanks for your attention to the wants and welfare of the Colony in the matter of the trails above alluded to; we trust it will not be deemed out of place if we conclude our remarks with the hope that the original intention of your Excellency respecting the Shimilkameen trail may soon be carried out, in forming the present trail, or any route considered best, into a waggon road; we do not ask this as a local matter only.

We do not consider that scope will be given to that commercial energy and enterprise which your Excellency is so desirous of encouraging locally unless your intention should be carried out as soon as possible, and your Excellency has repeatedly, publicly and privately, expressed your opinion that the route to the new gold fields and agricultural district of the Shimilkameen is through Hope. A waggon road to this important country will not be looked upon otherwise than a colonial measure, and one which has already received the sanction of public opinion at large.

We have, &c.

(Signed) A. D. PRINGLE, M.A.
W. H. SUTTON, and 50 others.

No. 15.

No. 15.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 95.)

Victoria, Vancouver's Island, November 9, 1860.

(Received January 2, 1861.)

(Answered, No. 66, February 1, 1861, page 68.)

MY LORD DUKE,

* Page 22.

IN my report on British Columbia of the 9th of October last, marked "Separate,"* I had the honour to inform your Grace of the dispatch of an exploratory party from Douglas, under the charge of Dr. Forbes of Her Majesty's ship "Topaze," to examine, especially with reference to its mineral character, the country bordering on Harrison Lake and River.

I have now the honour of forwarding the valuable and highly interesting report of that gentleman, who lately returned to this place with his party, in good health.

His researches, carried on under many difficulties inseparable from the country, were prosecuted with a very creditable degree of activity and vigour, and have been eminently successful in elucidating the true mineral value of the district, the whole of which he believes to be metalliferous, and the greater portion of it argentiferous.

He found and examined many argentiferous veins, and he observes that he has not the least doubt that there is abundance of silver in those formations, but it can only be reached by an outlay of capital and steady persevering mining operations.

He has also, from various indications, been led to believe that in many of the metalliferous veins described in his report, deep mining will develope gold.

Dr. Forbes recommends that encouragement should be given to companies for the purpose of working silver mines, and thinks they cannot be worked advantageously by individual enterprise or exertion, a suggestion which meets with my warmest approval.

I trust that Dr. Forbes's able report may have the effect of attracting public attention in England to the mineral wealth of British Columbia, and to the facilities it presents for the profitable investment of capital.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

Encl. in
No. 15.

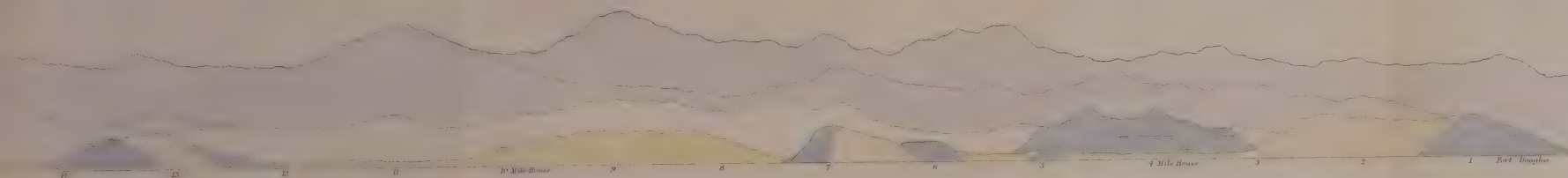
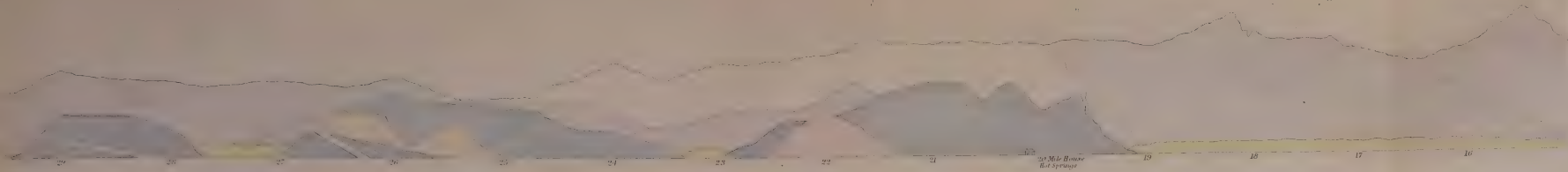
Enclosure in No. 15.

SIR,

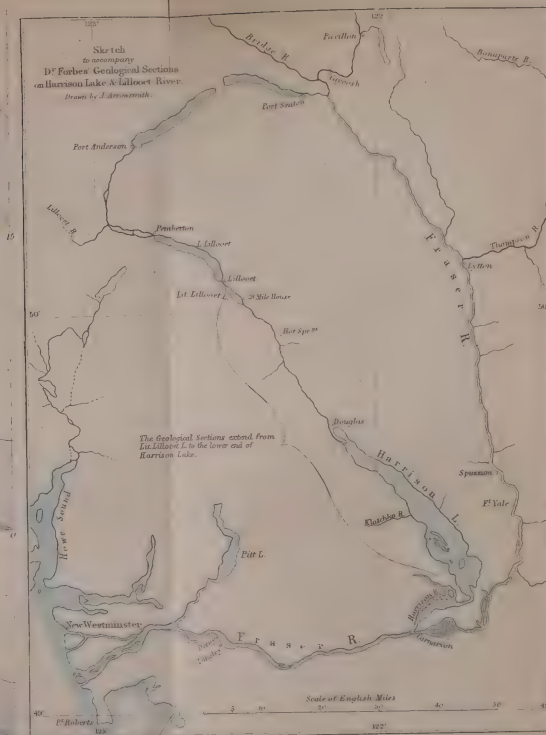
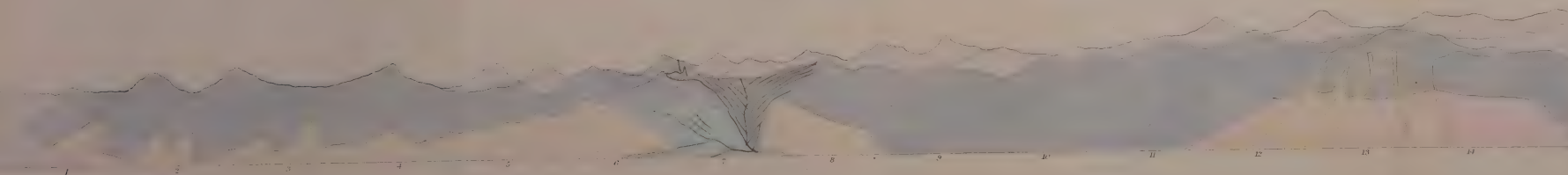
H.M.S. "Topaze," Esquimalt, Vancouver Island, Oct. 22, 1860.

By letter dated 8th October, I had the honour to apprise your Excellency of my return to Victoria on the 6th, with the exploring party under my command. It now becomes my duty to lay before your Excellency a general summary of my proceedings, with a detailed account of such explorations as time and circumstances enabled me to make.

SECTION N° 2 HARRISON LILLOOET ROAD



SECTION N° 1 HARRISON LAKE



- Trap Rock
- Trachyte
- Boulder or Northern Drift
- Red Metamorphic Rock
- Ferruginous Rock
- Plutonic Rock of Granitic character
- Metamorphic Clay Slate
- Auriferous Gravel
- Silver Veins

1. In compliance with your Excellency's instructions contained in letter dated 29th August, I took charge of the exploring party at New Westminster, and there received from the Treasury and the Commissariat such supplies of money and provisions as appeared necessary for carrying on the exploration of the district specified, viz., from the mouth of the Harrison River to the 28-mile house on the Lilloet trail.

2. Unable to procure a canoe at the mouth of the Harrison River, as directed by my instructions, I proceeded in the steamer "Colonel Moody" to Port Douglas, and at that place on the afternoon of the 30th, succeeded, after some difficulty, in procuring a canoe and Indians to take me down the Harrison Lake. Finding on starting that my canoe was too heavily laden, I engaged another and smaller canoe, and with a party consisting of three Spaniards, four Indians, self and servant, proceeded at 5 p.m. to make the best of my way to the mouth of the Harrison River.

At 8½ p.m., having come by computation about eight miles, I camped on a sandy spit, near a mountain stream, known as the Douglas River, on the eastern side of the lake, opposite to a remarkable double-peaked mountain, having on its northern and eastern aspect a glacier between the peaks.

Friday, 31st August.—At daylight, weather was much overcast and threatening. Nevertheless, I struck camp and got ready, being anxious to commence work at the place indicated in my instructions. A thunder-storm, however, passed to the southward, followed by heavy rain, and a fresh breeze from the S.W. causing a heavy swell on the lake and rendering it impossible to proceed. I therefore pitched my camp again, and proceeded to prospect the neighbouring ravine and to examine the geological formation around.

At the mouth of the stream, and extending on both sides along the shore of the lake, were water-worn boulders of granitic and quartzose rocks, gneiss with garnets, mica schist with ditto, pieces of good roofing slate, together with masses of a pure white quartz containing excellent indications of metal. The mountain, the top of which is somewhat rounded in its outline, having a flat surface to the westward, and a remarkable pinnacle or finger-like rock at its immediate base, is composed of trap, having resting upon it and tilted at a high angle, micaceous, talcose, and hornblende schists, all highly charged with iron, the oxidation of which has produced disintegration of these rocks.

At a point about 500 yards from the mouth of the stream on its proper right bank, a mass of trachytic rock has been erupted, shattering the surrounding rocks, itself much shaken and shattered; great masses dislodged by weathering and other causes having slipped and rolled to the bottom of the ravine.

In this rock, of volcanic origin, was found a mass of quartz, of a beautiful white colour, containing good indications of silver and copper, which indications proved true, for on assaying a specimen, by the reducing process, a globule of each of these metals showed itself. This mass or vein of quartz dips northerly beneath the overlying trachytic rock. It is wedge-shaped, the thickness increasing with the depth. From it, in all directions, radiate veins of quartz, which, guarded on each side by a fissile rock of a French grey colour, permeate the mass of trachyte in all directions. Those only, however, which run north and south are metalliferous, the east and west veins or cross courses are barren.

Deeming it necessary to explore this formation thoroughly before proceeding farther, I determined to blast the rock in order to see if the indications improved with the depth; but finding one of the blasting tools in a very inefficient state, I was obliged to send it to Port Douglas for repair, and in the meantime proceeded to examine the veins, seriatim, as they radiated from the great central mass. Rising in a north-westerly direction is a quartz vein running through or along with the fissile rock above alluded to containing ores of silver; and to the right, having the same N.W. and S.E. direction, about 200 yards above the "mother vein," a quartz vein shows itself in the broken precipitous face of the containing trachytic rock.

It runs between two great bands of the fissile French grey-coloured rock, separated from it by masses of a partially decomposed pyrites, which besides, in a band of about three inches in thickness, accompanies the quartz vein throughout its course.

Besides these masses and bands of iron pyrites, masses of a dark green chlorite rock occur, and nodules containing the sulphuret of silver are clearly discernible both in the vein itself and in the rock through which it passes.

Following the ravine, and at the same time ascending, I found, at an elevation of about 600 or 700 feet, another quartz vein of the same character, dipping in the same direction, and belonging to the same system; and from the numerous angular fragments of quartz and quartzose rocks everywhere scattered about, I believe that there are numerous other veins, which I had not time to look for or explore.

I worked into the quartz matrix and its ramifying veins, and satisfied myself of the existence of silver at this spot, which, however, will require somewhat extensive mining operations to procure in paying quantities.

The geological character of this locality affords a good type of the general formation of the whole eastern side of the lake, and may here be briefly described as a region of primary, metamorphic, and volcanic rocks, crossed and re-crossed by trappean dykes and veins and seams of metalliferous quartz and quartzose rock. The primary or igneous rocks, which form the central axis of the mountain range, have on their flanks transverse ridges and spurs of trappean rock, bedded and jointed, resting on which, and tilted at various angles, lie the metamorphic schistose rocks, which, again broken through, disturbed, and shattered by successive intrusions of volcanic rock, have in many instances undergone a second metamorphosis, and show an amorphous crystalline structure, accompanied by segregation of metal into the permeating veins.

Thursday, 6th September.—I began here to have trouble with my Indians; though well cared for in every way, they were becoming impatient, and I had to discharge one yesterday and another to-day.

Heavy rain during the night, but the morning promising well, I started with the three Spaniards and one old Indian to examine the landslips.

Found that the great mass of the debris in all the slips was composed of plutonic, trappean, and quartz rocks, all of them full of beautiful groups and strings of crystals of iron pyrites, both massive and in cubes, and all possessing good indications of the proximity of valuable mineral.

BRITISH
COLUMBIA.

I ascended the landslips to the broken craggy summits, and found the walking most tiresome and laborious, the rocks at every step giving way and slipping from beneath my feet, the inclination of the mountain side being at a very high angle. The rock forming the broken crags at the summit is a dense, highly crystalline blue trap, bedded and jointed, ringing to the hammer, its weathered surface coated and coloured by the oxide of iron, which metal in the form of pyrites abounds in the neighbouring rocks and veins.

The central mass on which this great mass of trappean rock reposes is a plutonic or igneous rock of a granitic character, very dense, highly crystalline, crossed and permeated by bands and veins of quartz, one of which, about half way up the slip, passing in a direct line from one remarkably red rock to another some 500 yards off, on the same level, is metalliferous. It continues in a southerly direction along the face of the range, and if not continuous with, belongs to the same system as the argentiferous vein I described yesterday as running close past my camp, inside of Point Spencer.

Saturday, September 1st.—Heavy rain all day, impossible to do anything further than prospect the shores of the lake right and left. The rocks everywhere indicating that they belonged to a metalliferous region.

Sunday, September 2d.—Morning hazy, but quiet, light breeze from the eastward. The man I had sent to Douglas to get crowbar repaired not having returned, I took advantage of the steamer passing to go up and look after him. On the way passed him in a canoe going down, and I returned to camp in the steamer.

Monday, September 3d.—The weather being favourable, commenced work at daylight and made the geological examination of the locality as above detailed.

Tuesday, September 4th.—Prospected the ravine, and found that the same formation extends on the southern side for about a mile and a half along the lake, terminating where the red ferruginous rock meets a dense-bedded trap, with a white weathered surface, which rock continues without interruption, broken only by watercourses, until the great landslips are reached.

Wednesday, 5th September.—At daylight roused all hands, packed up, and started, examining the rocks in passing down the lake.

At 10.30 a.m. came to and examined landslips, opposite to a point on the western shore known as "Shay Point"—where "Shay," the native god of the weather, has an effigy cut out of the solid rock. The indications, as shown by the fragments of rocks, at the foot of the different landslips, were so good that I pushed on to the first available camping-place, pitched tents, had breakfast, and proceeded to examine further.

Found a metalliferous quartz vein close to the camp, and followed it in a north-west direction up a ravine. The time thus occupied prevented me from reaching the landslips, which were three or four miles off. In the evening I went out on the lake and sketched the general features of the landscape and the mountain range where the landslips occur.

Friday, 7th September.—Heavy rain all night; 6 a.m. cleared up. Roused all hands and went across lake in canoe to see the run of the range, and ravines under which I am camped.

The quartz vein described yesterday as running up a ravine in a N.W. direction close to my tent, ascends and crosses the face of the hill, at angle of 45°; after running a short distance along the shore it dips beneath the lake. It passes along with a fissile grey-coloured rock, which guards it on both sides, through the trap, and rests apparently on the igneous rocks of the great landslide mass, or Ganges Peaks.

From its indications I was induced to examine this vein fully, and blasted a portion of it near to the camp, and found silver ore in strings throughout the mass.

At 11 a.m., light breeze from west by north, left camp, prospecting along shore; metamorphic slates and schists, with quartz veins, one of which I examined just before coming to some small rocky islets, outliers of an erupted mass of trap, in which this part of the lake formation terminates. The vein was non-metalliferous, but possessed the best indications of there being metal in the neighbourhood.

On passing the rocky islets of trap, came to a slaty rock, with, in many places, a very perfect cleavage, and crossed in a N.W. and S.E. direction by a quartz vein, which at the point of contact has destroyed the slaty or fissile character of the rock, and altered it into a dense, semi-crystalline fawn-colored trap. The quartz vein runs in the same direction as the other metalliferous veins, but I could find no trace of metal in the cursory examination I was able to afford it; yet I believe on a fuller exploration it would lead to silver ore; all the necessary geological conditions being present, the same band of decomposed pyrites accompanying the vein as in those others found to be argentiferous.

Onwards, towards the point known as 20-mile Point, the trap begins to show itself in cliffs, and outliers in the form of islands of a moderate height. The slaty rock rests on this trap, and the formation terminates at a low spur, near the mouth of the Klatchka River.

Saturday morning, 8th September.—Up before daylight. A planet, either Venus or Jupiter, shining like a moon. Sunrise magnificent, sun's rays tingeing lower surfaces of the scattered cumuli a rosy red, and lighting up the snowy walls of Mount Baker (plainly visible in the distance), till it shone like one great ruby; wind light from N.W., everything promising fine weather; struck tents, got under weigh, and sounding the shoals and bars off the mouth of the Klatchka (or Courtenay River, as I named it, being uncertain of its native name), entered that stream, having 4 feet outside and inside of the bar. The mouth of the river is about 100 yards wide, 4 feet deep, with low banks of sand and gravel, thickly and somewhat heavily timbered. This river had been prospected, and gold found on its banks by Messrs. Humphreys and Hare, of Port Douglas, and I was in this case much indebted to the former for much information and advice, besides great assistance which he kindly afforded me in my dealings with the Indians, in the hiring of canoes, &c. &c. At 9 30 a.m., after ascending with difficulty two rapids, came to, and pitched camp about 2 miles from the mouth of stream. The pools between the rapids had from 3 to 4 feet of water, abounding in salmon and trout of various species. Hired two small canoes and ascended the river, prospecting as I went, but evening closed in upon me before I could reach the falls, which I was anxious, if possible, to examine that day, but it being dangerous, impossible in fact, to shoot the rapids after dark, I was obliged to return to camp.

The pebbles on the beach at the mouth of this river are chiefly of igneous rock, with numerous specimens of beautiful clay-stone porphyry. The trap rock I passed yesterday, here forms the right bank, ascending in precipitous bluffs, tolerably thickly timbered. The left bank is formed by a series of terraces of different elevations, made up of the rounded boulders and gravel of the great northern drift, which here, as in all the valleys of this region, may be seen to perfection, rolled and water-worn boulders of every igneous and crystalline rock that would bear attrition are to be found, while the sedimentary and softer rocks, ground and pounded, form the land, the clay, and the gravel of the formation. The river issuing from a narrow gorge, about six miles from its entrance into the lake, sweeps through this boulder drift, which fills up and covers the whole valley, formed by the divarication of two spurs or ranges of trap, which here running east and west meet the shores of the lake at right angles. The whole forms a fine sweep of level land, well timbered, and having a good surface of alluvial and vegetable soil; but lying as it does on this great gravel bed, were the timber to be removed, I fear that the summer heats would convert the soil into a very fine dust, which the autumn winds and winter rains and floods would eventually sweep away, leaving nothing but naked terraces of boulder stones and gravel. During my prospecting to-day, I found a rock, in situ, possessing good indications of silver, but could not trace the vein, it being overlaid by the drift.

From where my camp is pitched, about two miles from the mouth of the river, up to within a mile of the falls, I carefully prospected for gold, and in a ferruginous gravel on the river bank, found first minute specks, in technical language, "the colour," and as I ascended, coarse grains of gold, sufficient to pay from 2 to 5 dollars per man per diem, if worked by a rocker or by sluices.

Sunday, 9th September.—Gave the men a day of rest; being fine, were enabled to dry our clothes, &c. &c., which were thoroughly saturated with moisture. In the afternoon assayed specimens of argentiferous quartz and other rock, from the veins at the landslips and neighbourhood, and found silver in all but one, the vein running near the rocky islets on the lake approaching 20-mile Point.

Monday, 10th September.—Up at daylight, packed one tent and provisions for two days. Left camp at 7 a.m. to explore river up to, and if possible, past the falls, in order to ascertain the geological formation, and if possible, trace the origin of the gold, which, from its rough crisp-looking surface, evidently has been transported no great distance. With two small canoes and three Indians, pushed up the stream, tracking up the rapids, and reached the falls at 9 a.m., where I camped. Coming up I had passed a considerable deposit of gravel and ferruginous sand, extending on both sides of the river, and from this I believed the gold had come; I left it however to be examined on my return. Just as my tent was pitched, heavy rain set in; it cleared up somewhat in about an hour, and I was enabled to examine the falls and the neighbouring rocks. Found the country beyond the falls so much broken up, so difficult to pass over, that in such weather it would have taken more time than I could afford to explore it thoroughly; I was therefore obliged reluctantly to give it up, having ascertained that the walls of the gorge or ravine, through which the river flows, are composed of massive plutonic and trappean rocks, the latter having a slaty fracture. These masses rise in perpendicular cliffs, cut up by numerous deep cracks or ravines, covered by almost impervious clumps of trees and shrubs, the ground encumbered with fallen timber, rendering travelling very difficult, almost impossible.

The rock over which the water rushes at the falls, which are not more than 6 or 8 feet at this time of the year, is an igneous rock, of a granitic character, crossed by numerous bands of quartz, and having the general appearance and character of the rock described as underlying the trap at the landslips on the lake. Although the quartz veins which here cross the igneous and trappean rocks, show no indications of metal, yet many transported blocks in the bed of the river do so, and indicate the existence of metalliferous veins higher up the valley, which ought to be fully explored.

No trace of gold could be detected in the sand or alluvium at the falls. Heavy rain had again set in, I therefore struck my tent and returned to examine the gravel and red sand deposit passed in the morning.

At 2 p.m., examined and found this deposit to consist of boulders (water-worn), sand, and gravel, with angular boulders. The boulders are of igneous rocks of various kinds, granitic, porphyritic (felspar), and hornblende rocks; the sand of two kinds, a fine white quartzose sand, and a coarser ferruginous sand or gravel, the whole mass running in a N.W. and S.E. direction, cut across by the river. On the right bank of the river, this gravel rests on a trap rock, which has a slaty fracture, and extends inland about 500 yards, forming terraces along the river bank for about half a mile.

On the left, it rises into a conical shaped hill, some 200 to 300 feet in height, and runs on as above stated in a S.E. direction. The upper portion has about 3 in. in thickness of rolled and rounded boulders of igneous and trappean rock, then 3 to 5 feet of fine gravel, next, several feet of a fine quartzose sand; and below, to a depth which I could not distinctly ascertain, is the ferruginous gravel, containing angular fragments of quartzose rocks, masses of metalliferous-looking quartz, and numerous blocks of a dense black ironstone, the product of intense volcanic action. I tried the sand and gravel from every part of this deposit, but could not find a trace of gold; from the surface to the river side, from 6 to 8 feet, to which depth I dug beneath the surface, all fruitless, not a speck to be seen, which surprised me much, as immediately below, on the river banks, in this same ferruginous sand, I could wash out rough gold, in small quantities certainly, with a common prospecting pan.

Much of this gravel is becoming consolidated into a conglomerate or pudding-stone, by the oxidation of the volcanic ironstone alluded to above, which, with granitic, quartzose, and other hypogenic rocks, forms the lithological character of the mass.

That gold exists in this locality is a fact, and that its origin is to be referred to this gravel deposit I fully believe. At the same time, I cannot explain why, on prospecting, it did not yield gold, unless that my examination was too cursory and superficial. This ferruginous auriferous gravel, on the left bank, rests on the boulders and gravel of the great northern drift, with which, however, it has no geological connexion, further than that of accidental relation. It extends, I believe, across the whole valley beneath the vegetable and alluvial soil, which affords holding ground, and gives nourishment to the trees and shrubs covering the plain; and under this soil will gold be found, I feel sure; what is washed on the river side must only be regarded as indications.

BRITISH
COLUMBIA.

As to this origin of this auriferous gravel, it appears to me that an extensive range of quartz rock has undergone degradation, consequent on disruption by volcanic forces, and oxidation of its auriferous pyrites, which has coloured its component particles red, and set free its contained gold. Heavy rain continuing and night closing in, I came down the river, shooting the rapids, and arrived at camp at sunset.

On my way down met four miners going up to prospect the gold reported to exist. I gave them all the information on the matter that I could.

Tuesday, 11th September.—Morning fine, but all our gear soaked with yesterday's rain. Struck tents and loaded canoe, found her too deep from the weight of the wet tents, &c., &c.; emptied and left pork cask behind; endeavoured to procure another canoe, but did not succeed, all away employed on the salmon fishery, which the Indians are carrying on vigorously.

Started at 8 a.m. and proceeded down the lake, prospecting and examining the various formations as I went. A few miles beyond the valley of the Klatchka came to schistose rocks resting on trap, with metalliferous quartzose veins passing through.

Pushed on to a camping place at the mouth of a small river or mountain torrent, which enters the lake opposite to the north or Long Island.

Camped, and that afternoon prospected the river bed; found it containing numerous water-worn boulders of hypogenic and metamorphic rocks, masses of quartz with chlorite schist, having good indications of silver; other rocks having the same of copper. About two miles up found traces of gold in the black sand of river bank. It had been raining heavily all the afternoon, and darkness now setting in, I returned to camp.

Wednesday, 12th September.—At daylight, weather having cleared up, and the day promising well, roused all hands, and started to examine the metalliferous quartz veins found yesterday.

The formation is of the same character as prevails generally, so far as I have yet seen, and on further examination I found the metamorphic schistose rock resting on and tilted by intruded masses of trap, which is here regularly bedded and jointed. Trap dykes, containing veins and masses of quartz run right and left, and at points where these masses of trap intrude, and where the quartzose veins enter and permeate the schists, they become metalliferous. An argentiferous vein, 16 to 18 feet wide runs along the side of the lake and rises on the hill at an angle of 45° or thereabout, passing beneath the mountain in its strike.

The silver, in the form of sulphuret, is contained in a crystalline blueish-grey rock, having masses and veins of quartz permeating it, and running along its centre a band of unctuous-feeling blue-black rock, an excellent indication of good silver ore.

The character of the vein alters as it passes through the different strata of the containing rock, becoming in places highly crystalline and very hard.

I was obliged to blast in two places to ascertain the character of the vein, and was glad to find all the indications improve with the depth.

On the beach a prismatic trap which makes excellent sharpening stones, and good specimens of roofing slate, were picked up. Having examined the coast line, and finding it coming on to blow, made the best of my way to camp, found a heavy surf on the beach, and got capsized close to tent.

Thursday, 13th September.—5.30 a.m., all off, morning overcast, slight drizzle, weather looks threatening, light breeze from S.E. right up the lake, nasty jabble of a sea on. 7.30 a.m.—Passing metamorphic and trappean rocks, overtopped by a rounded red-coloured mountain, which from the form of its ravines and general aspect looks promising.

The wind now freshened so much, and the water became so rough, that it was dangerous to proceed, and I therefore pitched camp on a sandy spit near a rocky ravine, opposite south end of Long Island at 8.30 a.m. After breakfast prospected ravine, through which a mountain stream flows, found igneous and metamorphic with trappean rocks abounding. Some of them with good indications, in mining language, excellent shod stones. Examined ravine by this same process of shoothing, and found on the right bank numerous angular fragments of rock assuming a prismatic structure, coated with the red oxide of iron, and containing vestiges of silver ore. The specimens appeared to belong to a metamorphic rock, semi-crystallized by intruded volcanic agencies, in the form of erupted trap and intruded quartzose masses.

Heavy rain and a gale of wind prevented an extended examination of the locality at this time.

Friday, September 14th.—Very anxious to get on, but cannot; heavy rain during the night; morning overcast, drizzly and squally. Can neither get on, nor go back. Half my time gone, and I have still the Lilloet district before me.

Unable to prospect, I proceeded to examine the specimens of yesterday, and found the rock full of metallic sulphurets, chiefly of silver and antimony. At 4 p.m. the rain ceased, and I was enabled to follow up and discover the metalliferous rock, to which the specimens found yesterday and examined to-day belong. The lode is 22 feet wide, close to the water in the ravine, and passes north-westerly right in along a broken ravine, covered by a mass of angular fragments of the same rock, and a quantity of red earth which marks its course along the face of the mountain. I was obliged to blast twice to ascertain its true character, and found it to be a very hard crystalline mass of a bluish-black and black-grey colour, enclosing masses of quartz and groups and strings of metalliferous ores.

The formation both north and south of this vein is trappean, a dense crystalline rock, bedded and jointed, rising into mountain peaks.

Saturday, 15th September.—The weather having been for some days so very bad, and looking altogether broken, being unable to procure more than one canoe, which was in consequence much too heavily laden, I was completely cramped in my movements, for, unless when perfectly calm, it was dangerous to attempt navigating the lake. Fearing that if I delayed waiting for fine weather to complete the exploration of the Harrison I might possibly altogether lose the Lilloet country, I resolved to make the best of my way to Port Douglas, and if I should have time and a favourable opportunity complete the Harrison Lake and River on my return.

Accordingly at 4 a.m., finding the weather moderate, and promising well, I roused all hands, and after a cup of coffee got under weigh, crossed the lake to Long Island, skirting it and proceeding by the western shore to Port Douglas.

The northern or Long Island I found to be composed chiefly of trap, with occasional patches of metamorphic rock, but no indications of metal were observable from the lake. On the western shore, at a point opposite to north end of Long Island, a fine tract of level land commences, and runs north for about 8 miles, having an average width of 1 mile, a stream flowing through it, and abundance of fine timber upon it. Like all the other flats and terraces in this district, the substratum is boulder drift and gravel, the alluvium and vegetable mould of no great thickness, but should the silver leads on the other side be worked this flat will be of the greatest use to the miners.

Where this terrace terminates and the bold precipitous bluffs again abut upon the lake, the formation of the mountain ranges at the back can be well seen.

Rising from the water are rounded masses of a dense black trap rock, sparsely covered by stunted pine trees, alternating with beautiful little coves, fringed by shingle beaches in which the vegetation is more varied and growth more perfect.

At and near the point known as Whiskey Point the formation changes, and metamorphic argillaceous schistose rocks resting on the trap begin to show themselves, and this, alternating with an erupted trachytic rock, continues all the way to "Shay Point," where an image of that deity who presides over the Indian meteorological department stands out, cut from the solid rock. From this point to Port Douglas, the whole western shore appears to be a mass of dead trap, no indications of mineral to be seen. Nearly swamped crossing the lake, though only a light breeze from the S.E. Arrived at Port Douglas at 6 p.m.

Sunday, 16th September.—Rested at Port Douglas. Men employed drying clothes, bedding, &c.

Monday, 17th September.—Making preparations for prospecting Lilloet district. All our blasting tools required repair, had to be fresh steeled. Twelve days' provisions to be packed, arrangements made for conveyances; Indians to be paid for work and hire of canoes, &c., &c.

Tuesday, 18th September.—Made an agreement to have my baggage packed as far as 20-mile house, at the rate of 2 cents per lb. Suffering from sprain and rheumatic affection of right knee, I was obliged to hire a riding mule. At 2 p.m., having seen everything off, left Douglas for the Lilloet, and camped that night at the 10-mile house.

Wednesday, 19th September.—Prospecting as I went, pushed on and camped at 20-mile house, anxious to get on to commence work from 28-mile house downwards.

Thursday, 20th September.—Obliged to rest this day, suffering from rheumatism.

Friday, 21st September.—Tried to ride, but found myself unable, started on foot, pushed on, and reached Creek Camp, 27½-mile from Douglas, where I pitched my tents close to the Royal Engineers' camp.

Saturday, 22nd September.—Employed prospecting round camp, found good indications both on river side and up the mountain.

Sunday, 23rd September.—A day of rest.

Monday, 24th September.—Left camp at 8 a.m. to examine and explore the indications on the river side. At a point 28 miles from Douglas, struck down upon the river, and close to a native lodge found a vein of argentiferous rock, running N. by W. along the river bank and rising at an angle of about 30° to the termination of the bluff at 29½-mile house. On the level beneath, a vein with excellent indications runs along by and passes the 29½-mile house, to terminate at the summit of a round-topped mountain, about 6 or 8 miles to the northward, and which has on its side a remarkable cleft and ravine full of debris.

Time did not permit me to follow up the veins of this formation to this point, but from reliable information I received, and from the geological formation of the country there, I believe they terminate and are possibly more fully developed, and to that point further exploration should be directed. Although limited by my instructions to the 28, or more correctly speaking, to the 29½-mile house, as the limit of my exploration, I yet considered that a radius from that point was permissible, and being anxious to see the formation of country through which the above-mentioned metalliferous veins ran, I hired Indians, and setting the men to work to clear away the rocks and blast the vein on the river side, I proceeded in a boat, kindly lent to me, to prospect the shores of the Little Lilloet Lake. The whole formation presents the very best indications of being rich in mineral wealth, and requires a prolonged exploration. I was very anxious to examine a remarkable mountain known as the "Split Crag," but when at its foot, to my mortification, it became enveloped in clouds, and I had no time to wait till it should clear up and I could make the ascent. It owes its remarkable form, whence its name, to the passage of a metalliferous dyke or vein through its summit, to the degradation of which, by the oxidation of the metals, is due the cleft or "Split Crag."

Four p.m.—Returned to the vein where the men have been at work, found that they had exposed the argentiferous vein, and prepared to blast; but the drills proved defective, and require repair.

This argentiferous rock is of a pale blue colour, with masses and strings of quartz running through it. Sulphuret of silver, argentiferous pyrites, and some specks of gold were to be seen along with iron pyrites in cubes and masses. The vein runs through trap, which, where in contact with the vein, is of a trachytic character. Great volcanic disturbances have here taken place, numerous faults existing in the trappean range which runs in parallel ridges north and south, slips and slides having taken place in the planes of bedding; and this bluff, in which this metalliferous rock is found, appears to be the result of a great slip from the boundary range of the valley on its eastern side.

Tuesday, 25th September.—Through the kindness of Lieut. Palmer of the Royal Engineers, I was enabled to get the drills and other tools put into good working order, and sent the men off at an early hour to complete the blasting operations. I myself proceeded along the trail, to examine the formation at a point where a great body of trap had been recently removed by blasting by the Royal Engineers. At a precipitous bluff, about 27 miles from Douglas, round which the trail runs, and which was not more than 2 feet wide a few days before, I found an open road 6 feet wide, and the angular promontory removed. A mass of trap, dense, highly crystalline, of a dark blue colour, bedded and jointed, had been cut through, and in the operation an argentiferous vein permeating the rock on which metamorphic clay slate

BRITISH
COLUMBIA.

rested, had been opened up. The argentiferous mass, or lode, is divisible into three distinct portions, the whole 20 feet in width, rising at a high angle, and running in a direction N. by W. The rock is of a pale blue colour, dense and highly crystalline, with masses and strings of quartz, argentiferous pyrites, and other excellent indications pervading it. The trap of this formation was the most highly crystalline rock of the kind that I had yet seen, when broken, assuming a pentagonal prismatic form, each fragment having a pyramidal shape. I had on a previous occasion obtained specimens of an argentiferous rock from the hill above, and was now enabled to identify them with this lode, which rising, crosses the side of the mountain in the direction named, to terminate, I believe, in the round-topped mountain described as being on the eastern side of the smaller Lilloet Lake, a member in fact of the same argentiferous formation.

Having obtained specimens, though but outcrops, of this and of the 28-mile vein, which on blasting, fully bore out its indications, I submitted them to a hurried process of assay, and obtained a fair proportion of silver from all.

Wednesday, 26th September.—At an early hour sent on, by pack mules, all the baggage, with orders to camp at 20-mile house and wait my arrival, and retaining one hand, with pick-axe, &c. &c., one mule, and an Indian boy, I followed slowly, prospecting as I went.

Shortly after leaving camp, where I had received the greatest assistance and experienced much kindness from Lieut. Palmer, R.E., and all his party, I came upon a metalliferous vein crossing the road, rising from the river, at 26½ miles from Douglas. It passes through the same formation as the one last described, and which I named Royal Engineers' Mine, they having in that instance, as in the present, been the means of opening it up.

Four p.m.—Passed the junction of the Amaqua River with the Lilloet; the valley through which the former flows is said to possess the very best indications of mineral wealth and rich metalliferous deposits. Rocks containing gold, silver, platina, and copper being found in abundance at its mouth, and in its bed. These I have not myself seen, but I believe my information to be reliable, although it must always be carefully borne in mind, that in this district of the Lilloet, where the transported rocks and boulders of the great northern drift are so widely spread, mistakes are very apt to occur, metalliferous, along with other rocks, being often carried many hundred miles. From its geological formation and mineralogical relations, I am inclined, however, to believe that up the valley these metalliferous rocks will be found in situ, and the whole should be carefully explored.

The whole geological formation of this day's march to the Hot Springs, where I camped at 6 p.m., is shown by the accompanying section to be trap of various characters, in reference to its crystallization and bedding; in some cases both these characteristics very perfect, in others less so. Metamorphic rock resting on the trap, altered and disturbed by its intrusion, permeating quartzose veins, in some cases metalliferous, in others not so, run through the whole formation. Near to the Hot Springs, an erupted granitic rock, having a highly crystalline trap on both flanks, occurs, which extending eastward, has relation to the granitic rock developed in the argentiferous formation of Fort Hope, if indeed it be not the same.

Trap rises in lofty precipices on the western side of the river, and continues on the east, resting on a rocky range of white-coloured stone, which on examination proved to be a siliceous rock, containing a few indications of copper.

Passing the granitic mass above alluded to, the trail runs over the northern drift, which continues to and beyond the hot springs at the 20-mile house.

The hot springs which give their name to the locality, bubble out from three openings in the rock, under a mass of concrete or conglomerate rock, and an angular block of trap which has slipped from the rock above.

The water has a temperature of about 120° Fah., and at 62° Fah. a specific gravity of 1002.5, being thus simply distilled water. Existing below and permeating fissures in the crust of the earth in the form of watery vapour or steam, it loses its caloric as it approaches the surface, and becoming condensed, issues in the form of hot distilled water.

Around the spot where the water flows from the rock, the surface of the pebbles in the stream is coated with a mass of reddish-brown *conservæ*, which, as the water flows and cools, becomes of a beautiful bright green colour. Where the stream crosses the road, it has cooled down to the temperature of the surrounding atmosphere, and forms a favourite drinking-place for all animals on the trail. Horses and mules, when free and having the opportunity, have been known to come back a couple of miles to drink of the limpid refreshing water.

Thursday, 27th September.—The weather has been and continues very fine. Endeavoured to-day to get a canoe, in which to cross the river, as excellent indications exist on the western side, which I was very anxious to examine. No canoe to be had, all down at Port Douglas. While prospecting, one did come up, and the Indians would have taken me across, but they would not wait till next day to bring me back, and I could not risk detention. From information received to-day, I am led to believe that active volcanic forces exist up the valley of the Zoalchleen River. An Indian states that at the second lake, half a day's journey from the mouth of river, a fire issues from the earth, which burns night and day; this with the hot springs in the same neighbourhood, indicates volcanic action, existing at present in a semi-quiet state. The Indian also stated that the rocks in the neighbourhood abounded in a yellow metal, and as from this locality the auriferous quartz was brought, which, by your Excellency's order, Mr. Humphreys went to explore, the probability is, that valuable metalliferous deposits do exist, especially since the best indications exist at the mouth of the Zoalchleen River, which flows from and is fed by the two lakes at the head of the valley. This with the other valleys of the district should be fully explored at an early date.

Friday, 28th September.—After an early breakfast, struck camp and sent on tents and baggage to 10-mile house. Followed, prospecting as I went, with Mr. Lopez, Indian, and mule. At 11 a.m., having passed the junctions of the Zoalchleen River with the Lilloet, came to a metalliferous vein rising through the great bank of gravel from the bed of the river, and about 160 yards farther on, another and more promising vein rising in the same way, and running north by west across the level formed by boulder drift towards a remarkable cleft in the mountain range, which bounds the valley on its eastern

side. The formation on the western side of the river indicates that these veins pass along a ravine which dips to the river bed, under which they pass, to rise again as above described. The latter and most promising vein above mentioned, is a quartzose mass, six feet in thickness, bedded in and running along with a siliceous rock, having masses and fragments of talcose schist in the immediate vicinity. The quartz contained strings of sulphuret of silver, and is I believe the outcrop of a valuable mine. I very much regret that time did not permit me to follow it to the mountain range and explore it fully.

Passing over the flats and gravel beds on both sides of the 16-mile house, at 2 p.m. arrived at the red earth hill near the 14-mile house, and proceeded to examine the locality. Found the prevailing rock to be bedded trap, traversed by injected veins or dykes of trap containing masses of quartz, and having good indications of metal. The cause of the red earth is the presence of a great quantity of oxide of iron, which wells out from a chalybeate spring in a constant flow, at a slight dip in the hill, on the old mule trail about 500 yards above the present road. At the top of the hill there is a cutting through a mass of rounded pebbles of trappean rocks, conereted into a dense mass of solid rock by the injection of carbonate of lime. The region is one in close proximity to extinct volcanic agencies, and to these are no doubt due the presence of the ferruginous and calcareous matters which abound. Dipping the crown of the hill, a mass of dense highly crystalline trap, regularly bedded and jointed, full of iron pyrites and of argentiferous pyrites, occurs, rising in precipitous bluffs, and having resting upon it and tilted at a high angle a metamorphic clay slate, highly charged with oxide of iron.

At the foot of the hill, where the rock has been blasted and cut away to form the trail, an argentiferous vein rises at a high angle in a N.W. direction, of the same general character as the others already described, as are two other veins which about 500 yards farther on show themselves on the sides of the cliff. Circumstances prevented me from fully determining the character of these veins, but I am certain of their indications, and feel sure of their value on mining.

At 5 p.m. camped at the 10-mile house.

Saturday, September 29th.—8 a.m., struck camp and sent on baggage to Port Douglas. Passed over a level and undulating road, the only rock visible being a trap on the side of St. Helen's Lake. Ascending Sebastopol Hill, at Jerry's well, came to a metamorphic clay slate resting on trap; and at Spring Hill camp, about seven miles from Douglas, found a vein of good promise, running N.W., having a beautiful quartz vein running at right angles to it; its intrusion has converted the clay slate into a semi-crystalline, fissile blue rock, crossing about two miles of level, and at the 5-mile tree ascending a gentle rise to a bluff cut away by blasting, an argentiferous vein crosses the dense-bedded trap of which the bluff is composed. Its direction and character agrees with all the others already described.

From this point, the bluff above the 5-mile tree, a good view of the remarkable flat-topped mountain known as Mount Richards may be obtained; it is an extinct volcano, the basaltiform trap which now forms the summit is the consolidated lava of the old volcanic fires, the scoriaceous walls having crumbled down to form the now sloping sides of the mountain. This, I have no doubt, was the centre of the volcanic agencies developed in this quarter.

At 2 p.m. arrived at the 4-mile house, and was there shown by the discoverer, Mr. Hancock, a specimen of quartz, containing such indications as induced me to examine the locality whence it had been brought. Found the vein of quartz running northerly through a mass of trap, much shattered and disjointed; followed it in a southerly direction; traced it to where metamorphic rock joined the trap, but found no indications of metal, although I feel convinced that on a more extended survey it will yet be found in this formation.

Anxious to get into Port Douglas to take advantage of a fine day or two, should they offer, to enable me to complete the Harrison Lake and River, I pushed on; and passing trappean and metamorphic rocks at Gibraltar Hill, which continued on to the trappean mass above Port Douglas, at the foot having a great bed of the northern drift, I arrived at that place at 6 p.m. and camped on plain above the town.

Sunday, 30th September.—6 p.m., heavy rain set in last night, and continues; no steamer arrived, and no certainty when she may arrive. If the weather clears shall endeavour to hire canoes and go on to New Westminster.

Monday, 1st October.—Heavy rain all morning; cleared off about 2 p.m. No sign of steamer; endeavoured to hire canoes and Indians to take me down the Harrison and on to New Westminster, but could get neither the one nor the other, every Indian able to travel having gone up the Lilloet to a "blanket feast." At length, through the kind assistance of Mr. Humphreys, I obtained the promise of a canoe on the following day; and Mr. Oliver Hare most kindly placed his boat at my disposal, and offered to accompany me himself to afford me aid, an offer which I most gladly accepted. I was thus enabled to start at 6 p.m., the canoe to follow me in the morning. About 10 p.m., when off 12-mile Point, the steamer "Caledonia" hove in sight. I boarded her, and arranged that she should pick me up on her return next day, and sent orders to stop canoe. Rounding Shay Point, I camped under a red craggy hill opposite the landlips, which I was anxious to examine, as it showed good indications, but which I had not time to test on my way up.

In the morning of Tuesday, the 2nd October, proceeded to examine the formation, and found trap alternating with metamorphic rock, altered in places to a semi-crystalline structure by the intrusion of the trap; and at a place known as Smugglers' Caves, about 100 yards from the beach, discovered two metalliferous veins, each 8 feet thick, separated by about the same thickness of the above-mentioned altered rock, running N. and S., full of iron pyrites, argentiferous pyrites, and other indications of silver. The veins run from a point known as Whisky Point in a northerly direction to Shay Point, a locality already described. I blasted the rock, and found the indications improve. At 5 p.m. went on board steamer, and arrived at New Westminster at noon of the 3rd October.

On the 6th of October I arrived at Victoria, and by letter dated the 8th of that month, had the honour to report to your Excellency the return of the exploring party under my charge.

A period of 40 days was thus occupied in this exploration. I did all I could to accomplish it in the prescribed time, "of about 30 days," but broken weather and unforeseen difficulties, having reference to the hiring of canoes, &c., &c., prevented me.

BRITISH
COLUMBIA.

In the foregoing report the particular features of the Lilloet and Harrison Lake districts have been briefly described, and a section of the country from the 29½-mile house on the Lilloet, to near the termination of the Harrison Lake, has been prepared and accompanies this.

The section is on a scale of three inches to the mile, horizontal; the vertical section is merely approximate, or hypothetical, and the whole is intended merely as an illustration of the description given in the report. I may mention, however, that the distances in miles given on the Lilloet trail are correct, those on the Harrison Lake merely approximate.

The elevation of all these ranges is due to the action of volcanic forces, causing, in the first place, in this N.W. and S.E. line, a slow and gradual upheaval of the primary and igneous rocks composing the crust of the earth. Then, as these forces increased at intervals in intensity, upheavals and disturbances of the mountain masses occurred, both generally and locally, until the geographical features of the country assumed their present aspect, viz., great mountain chains running N.W. and S.E., having, at right angles to their axis of elevation, trappean rocks running E. and W. in transverse spurs and ridges. Resting on these spurs, tilted by them at various angles, are detached and broken masses of metamorphic rock of various kinds, such as clay slate, micaceous, hornblendic, talcose, and chlorite schists, all permeated by dykes and veins of erupted rock, which in many instances have changed the metamorphic rocks, at the points of contact, into amorphous semi-crystalline masses.

I fully believe that the whole district is metalliferous; and I am happy in having been able to prove that the greater portion of it is argentiferous.

With regard to the argentiferous veins which I have been fortunate enough to discover, I would beg your Excellency to bear in mind that limited as I was to time, it was impossible for me to work into the rock so as to determine their true and relative values; having found, examined, traced, and proved their argentiferous nature, I was obliged to leave each in succession, its value undetermined, to explore the formation and the district further. That there is abundance of silver in these formations I have not the least doubt, but it can only be reached by an outlay of capital and steady persevering mining operations. From various indications, I am led to believe that in many of the metalliferous veins described, deep mining will develop gold.

The gold in the Klatchka River on the Harrison Lake will enable any steady hard-working man, who will work it with a rocker and be content with moderate gains, to live well all the year through, and save money, as also would workings on the bars of the Lilloet at the 20-mile house; but in neither locality need any man, in mining language, expect to make "a pile."

To work these argentiferous veins, I would beg respectfully to represent to your Excellency, that encouragement should be given to a company or companies formed for the purpose of working mines.

I do not think that they can be advantageously worked by individual enterprise or exertion.

I do not think that the existing laws having reference to leases and claims on gold diggings are applicable to the working of silver mines in the district which I have explored, and would most respectfully urge that some special rules and regulations be framed and put in force at an early date.

It affords me the greatest pleasure to inform your Excellency of the great kindness and assistance I everywhere met with during my exploration, more especially from Colonel Moody, the officers and men of the Royal Engineers; from Mr. J. B. Gaggin, J.P. of Port Douglas; Messrs. Humphrey and Hare, of ditto; and from Captain Frein of the steamer "Caledonia," who finding that I was about to return in a canoe, gave a free passage to New Westminster to all the party.

Entreating your Excellency's indulgence for the imperfections of the above report,

I have, &c.

To his Excellency
James Douglas, Esq., C.B., &c. &c.

(Signed) CHARLES FORBES, M.D.,
Surgeon, Royal Navy.

No. 16.

No. 16.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 100.)

MY LORD DUKE,

Victoria, Vancouver Island, November 28, 1860.

(Received January 31, 1861.)

I HAVE the honour to inform your Grace that nothing of much importance, beyond the usual course of events, has transpired in British Columbia since the date of my last report.

2. The miners of Alexandria and Quesnel River, dreading the severity of the inland winter, have for some weeks past been arriving in great numbers from those districts, and settling themselves for the winter in the towns on the Lower Fraser, being attracted thither by the genial climate and cheaper rate of living. Their labours have, I understand, not been unrewarded, many of them having been eminently successful, while, contrary to the general experience of mining countries, few or none have been entirely disappointed. So much indeed is this the case that, as I am informed, they almost without exception propose returning to Alexandria as soon as the snow disappears in spring, and surface claims become accessible to the miner. The population of those remote districts will probably for this winter be confined to persons who have invested their means in the construction of sluices, and especially such miners as are employed in tunnelling, whose operations are little effected by the external temperature, and may be carried on during the severest weather.

3. I have lately received a communication, dated Alexandria, 17th of October, from Mr. Philip H. Nind, Magistrate and Gold Commissioner for Alexandria, from which it appears that he had, from various causes, encountered much detention on his route to Alexandria. His arrival in the district was hailed with a general feeling of satisfaction, and his services were immediately called into requisition by the complaints of the inhabitants against a few notorious evil-doers who had taken refuge there, and become the terror of the place. The most vigorous measures were at once set on foot to bring them to justice, and one of the number was soon afterwards apprehended and committed for trial; but the others could nowhere be found, and are supposed to have fled over the frontier into Oregon. Mr. Nind had temporarily established his head-quarters at William's Lake, on account of its central position, from whence diverge, as from a common focus, all the routes leading to the upper and lower country.

4. The extract from Mr. Nind's valuable report, which I here subjoin, contains some interesting statistical facts in addition to his own views of the auriferous and physical character of parts of the Alexandria district which he has lately visited.

"The rate of wages to hired labourers is five and six dollars a day, and of provisions and other necessities about the same as at Alexandria, in some instances a little lower from the greater amount of competition.

"I have the honour to enclose a list of the prices of various articles at Alexandria.

"Ferguson's or Rich Bar when first discovered proved highly auriferous, as much as 60 dollars a day to the hand having been made; but after the pay-streak near the river became exhausted, the flat in the rear had to be pierced, and the gravel wheeled over plank roads for some hundreds of yards to be rocked out at the river; the profits, consequently, of the day's labour considerably decreased, so that when I was there the average receipts were from seven to ten dollars a day to the hand. As soon, however, as water can be brought on for sluicing there is no doubt but that high wages will be made. Unlike the bars on the Lower Fraser, the ground is here unobstructed by heavy timber or roots, and the miner finds that not only does the pay-streak yield gold, but also the sand overlying it in sufficient quantities to pay for the washing. It is the general opinion that there will be employment on this bar for more than a hundred men, and that it will not be exhausted in less than two or three years. The introduction of water is an operation requiring considerable capital and engineering skill. The ditch is cut from a lake situated between four and five miles to the north-east, and has to be brought on by means of a long tunnel; the expense of completing it is calculated at 12,000 dollars.

"Three miles below Ferguson's Bar is British Bar, where a company of six Cornishmen are bringing in a ditch about five miles in length for their own use. The bar is but of small size. I did not notice any miners between here and Alexandria, though there were signs of work done in the spring. The Fraser between Alexandria and Quesnel River is a swift but not turbulent river, averaging from 200 to 300 yards across; it has a few small ripples, but none of the dangerous whirlpools so common in its lower course; the navigation does not appear difficult; Ferguson's Bar being supplied with necessities by boats from Alexandria, which make the trip of 60 miles in about two days and a half.

"Between Alexandria and Fort George I hear but of two impediments to steamboat navigation which it would be difficult to surmount, viz., two passes or cañons where the river narrows and rushes violently through precipitous rocks. The physical features on the Upper Fraser, that attract the attention of the miner, are three:—

"1st. Its benches, bars, and flats.

"2nd. Its earth-slides, and high banks displaying several strata of wash gravel.

"3rd. The water in its vicinity that can be made available for mining.

"The first are very extensive, and some have been worked with rockers; but rockers are really only an advanced kind of prospecting apparatus, and stand in the same relation to sluicing and the hydraulic pipe as the Chilian arastra does to the California quartz mill; in both cases the deposit of gold must be very large to yield remuneration to the employers of so limited and primitive a method of obtaining it.

"Respecting the second feature, the earth-slides and high banks yield the "colour" to prospectors, and in many cases, two or three cents to the pan; were the hydraulic pipe brought to bear upon them, ground that is now unemployed would be highly remunerative.

"Respecting water, this great essential to extensive mining operations can be procured without much difficulty, though not without labour and expense; for if streams are less frequently met with descending from these wooded hills than flow from the snow-topped mountains of the Lower Fraser, yet the great number of lakes situated within accessible

distances of either bank, would afford a supply entirely independent of rain-fall or melting snow. At present the country is struggling against the high rate of provisions and necessaries; the class of men that arrive in the spring have but enough money to purchase a few weeks provisions, they cannot afford to work for the future, but must make money immediately or return, so that a thorough testing or development of the auriferous resources of this particular section of country, till very considerable reduction takes place in the price of things, is not to be looked for. I have conversed with many men who have been prospecting from Alexandria to the furthest point hitherto reached, and I find even amongst the unsuccessful no disbelief in the richness of the mines, but a general impression to return next year and try their luck again. Amongst the geological phenomena of this portion of Fraser River there is much to attract attention, more particularly a dark brown substance which the people call coal; on Ferguson's Bar and the adjacent banks many detached pieces lie scattered about, and I was informed by a person on that bar that he had used it for blacksmithing purposes and found it to answer. Some eight or nine miles above Alexandria, where the river, from a north and south course, makes an almost rectangular bend to the east, a high bank displays a complete stratum of this singular formation. I collected some specimens of it, and found on examination that its specific gravity was much lighter than that of coal, that it did not soil the fingers, and that the grain of the wood was distinctly visible. I apprehended it to be lignite in a transition state, but whether it could be utilized for commercial purposes I am unable to judge. The banks of the river here are of considerable altitude, and are composed of a kind of indurated clay, called by the miners "soap-stone;" they have been worn by the action of the water into cylindrical forms and assume the appearance of buttresses and columns. The trail between Alexandria and Ferguson's Bar passes through some exceedingly rich open land consisting of heavy black loam with a subsoil of clay, apparently well adapted to the growth of wheat. The land that Mr. Davidson has pre-empted has produced excellent crops, a small patch of less than half an acre has returned 20 bushels of wheat, and the turnips and cabbages would be considered fine in any country. Mr. Davidson owns several head of cattle, a yoke of oxen, waggon, and other agricultural implements. Finding his experiments so successful, he is preparing to farm next year more extensively, and is anxious to purchase land in addition to his pre-emption claim; several white men and Indians are at present in his employ. A substantial and commodious log house has been built, and farm buildings are in process of erection. The price of vegetables on the ground has ranged from 20 cents a lb. to 12½, onions excepted, which have never been sold for less than 50 cents a lb. Several of the hills that enclose the valley of William's Lake are covered with pasture of the finest description, and in the valley and on the slopes are hundreds of acres of prairie that would repay the labor of the agriculturist. The timber on these hills principally consists of Douglas pine, larch, fir, and balsam; the larger trees make useful lumber, free from knots. Since I have resided in this district, the weather, during the early part of September was unsettled, but from the middle of the month till the present time it has been exceedingly fine; latterly the frosts have been sharp at night, but the thermometer in my tent ranges between 60° and 70° during the middle of the day. I have been enabled from the central position of this spot to transact a good deal of business with miners and traders returning from the upper country. The Indians around here seem well disposed; some work well and readily, and are very intelligent, and would be, I think, susceptible of the influences of civilization; others, on the contrary, are extremely indolent, and neglect providing against the wants of tomorrow if supplied with food for to-day. As there has been a dearth of salmon this summer, I very much fear they will suffer severely this winter; the greater number talk of wintering on the Thomson River and at Cayoosh."

5. I have received intelligence from Hope and Yale up to the 29th of November. The Gold Commissioners report that the weather had been so far most favourable for mining operations, and that nearly all the miners in those districts had built comfortable houses, where they intend to remain for the winter. Some miners from the Caribœuf country had lately arrived at Hope with very fine specimens of lump gold worth from 17. to 8½ a piece; their object being to remain at Hope until the winter is over, when they propose returning to their distant mining claims.

6. The miners at Shimilkomeen were making fair wages, varying from 30s. to 60s. a day to the man; and there was a sufficient stock of food in that part of the country to last till spring.

7. In consequence of the number of new steamboats which have been lately built here and commenced running on Fraser River, the charge for freights from this place to

Hope has fallen to 20s. a ton, being a reduction of 300 per cent. on the former rates of transport.

BRITISH
COLUMBIA.

The reports from British Columbia contain nothing further deserving of special notice.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

Enclosure in No. 16.

Encl. in No. 16.

LIST OF PRICES at ALEXANDRIA, 18th September 1860.

	£	s.	d.		£	s.	d.
Flour - - - - per lb.	0	1	2	Steel shovels - - - each	1	4	0
Beans - - - - "	0	1	3	Picks - - - - "	1	0	0
Bacon - - - - "	0	3	1	Sluice Forks - - - "	1	8	0
Sugar - - - - "	0	3	1½	Axes (Collins) - - - "	1	4	0
Rice - - - - "	0	1	3	Nails - - - - per lb.	0	2	0
Tea - - - - "	0	6	0	Quicksilver - - - - "	0	12	0
Coffee - - - - "	0	3	1½	Overshirts - - - - each	0	10	0
Lard - - - - "	0	3	1½	Undershirts - - - - "	0	9	0
Candles - - - - "	0	5	0	Canvass trousers - - - "	0	10	0
Soap - - - - "	0	2	0	Kentucky tweed do. - - - "	0	12	0
Salt - - - - "	0	2	0	Corduroy (common) - - - "	1	0	0
Pepper (ground) - - - "	0	4	0	Boots - - - - per pair	1	12	0 to 2 8 0
Yeast Powder - - - per tin	0	4	0	Shoes (common) - - - per pair	0	14	0
Butter - - - - per lb.	0	6	0	Drilling - - - - per yard	0	1	3
Rope - - - - "	0	3	1¼	Duck - - - - "	0	3	4
Tobacco - - - - "	0	8	0	Oregon blankets - - - pair	2	0	0
Potatoes - - - - "	0	1	0	No syrup or dried apples in the market.			

No. 17.

No. 17.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(No. 7.)

Victoria, Vancouver Island, January 26, 1861.

(Received March 25, 1861.)

(Answered, No. 74, April 13, 1861, page 68.)

MY LORD DUKE,

Encl. No. 1.

I HAVE much pleasure in transmitting herewith a synopsis of the revenue and expenditure of the Colony of British Columbia for the year ending on the 31st day of December 1860, which I have caused to be compiled in the Audit Office from the public accounts, for the purpose of laying approximately before your Grace at the earliest moment such information as may be desirable, in anticipation of the formal estimates which are in course of preparation, and will be forwarded by the next mail.

Although the December returns and some of the back accounts of the distant out-stations have not been received, and are merely estimated in this account, yet it exhibits very closely the actual revenue and expenditure, and may, for all practical purposes, be assumed as a true statement of the financial position of the Colony.

The principal item of revenue in that account will be found under the head of Customs, classified as follows, viz., duties on imports, 29,702*l.*; harbour and tonnage dues, head money, the roads tolls at Yale and Douglas for the month of November, and other minor receipts, collectively 5,817*l.*; making in all the sum of 35,519*l.*

The increase of revenue from duties on imports is about 70 per cent., as compared with the revenue derived from the same source in 1859; and it may be fairly assumed, considering the increase of population and the progressive state of the Colony, that the Customs returns of 1861 will be in excess of those of 1860.

The amount of land sales for the year 1860 is 10,962*l.*, which is less by 7,915*l.* than the sales of 1859; a difference explained by the large sums received for building lots at New Westminster and other towns where land was required for commercial purposes and sold at high prices. A larger quantity of country land has been sold in 1860, but from the comparatively low price did not yield a proportionate revenue.

There is no prospect of a material increase in land sales for 1861, except through the effect of emigration from Canada and Great Britain, as there is a very small farming

BRITISH
COLUMBIA.

population in the Colony, the working classes being chiefly miners, accustomed to excitement, fond of adventure, and entertaining generally a thorough contempt for the quiet pursuits of life.

The minor items of revenue in the synopsis will probably not vary much in 1861 from the sums in the present return, and cannot in any case be expected greatly to affect the amount of the general revenue.

On the other side of the account is the sum of 16,736*l.* expended for "establishments." The most rigid economy having been exercised in this department, the amount is not susceptible of reduction, but might with advantage to the public service be increased by some very necessary additions to the emoluments of the principal executive officers of the Colony, their present salaries being not only inadequate to the relative importance and responsibility of the offices they hold, but literally insufficient to maintain them in a respectable position; a subject which I will take the liberty of bringing before your Grace in a separate Despatch.

The outlay on works and buildings amounts to the sum of 3,513*l.*, and in the formation of roads and bridges there has been expended the sum of 18,935*l.*; a profitable investment for the Colony, as is apparent from its increasing revenue, which will no doubt keep pace with the improvement of its internal communications and the facilities afforded to trade and commerce. A detail of those works is given in Statement No. 2, and the outlay on each is approximately shown. The other items of disbursement, being separately of small amount, need no comment. The entire expenditure, amounting to 44,124*l.*, has been defrayed out of the current revenue, and there remains a balance of 8,886*l.* in the treasury, which will be sufficient to meet the outstanding liabilities of the Colony for the unfinished contracts of the roads in progress.

Encl. No. 2.

The works we propose to execute this year are as follows:—

A cart-road from Pemberton to Cayoosh, length about	-	-	-	36 miles.
Ditto from Hope to Shimilkomeen	-	-	-	74 "
Improvement of navigation of Shimilkomeen River	-	-	-	60 "
Horse-road from Boston Bar to Lytton	-	-	-	30 "
Ditto from Lytton to Alexandria	-	-	-	150 "
Ditto from Cayoosh to junction with Lytton Road	-	-	-	30 "

In progress.

Road from New Westminster to Langley	-	-	-	15 "
Ditto from New Westminster to Burrard's Inlet	-	-	-	9 "
Ditto to boundary line at Semiahmoo Bay	-	-	-	14 "
Ditto from Spuzzem to Boston Bar (nearly finished)	-	-	-	20 "

For the execution of these highly necessary works, we may, I believe, safely estimate that the sum of 25,000*l.* can be provided out of the revenue of the Colony, without at all impairing its capacity to defray the whole civil expenses of the Government. Much more than that sum is, however, required to complete such extensive public works; and I therefore addressed your Grace on the subject of a loan of 50,000*l.* in my Despatch, No. 84, of the 28th of August last.

If that project can be carried out, we shall enter the field with larger means, and the Colony will sooner experience the impulse thereby given to trade and industry; if, on the contrary, the loan is not procurable, the extent of those undertakings will be regulated by the means actually at my disposal.

I see no probability, short of an almost absolute abandonment of all the essential public works upon which we are engaged, of our being able this year to maintain out of the Colonial Revenue the detachment of Royal Engineers stationed here; and I rely with confidence upon the mother country again affording her assistance in our difficulties, by providing for them, as heretofore, out of Imperial funds, so that I may be free to apply the whole surplus revenue of the Colony, after paying all its own Governmental expenses, to the opening of roads and other public works indispensable to its development.

I have, &c.

His Grace the Duke of Newcastle, K.G.
&c. &c. &c.

(Signed) JAMES DOUGLAS.

Enclosure 1 in No. 17.

BRITISH
COLUMBIA.Encl. 1 in
No. 17.

APPROXIMATE STATEMENT of the REVENUE and EXPENDITURE of BRITISH COLUMBIA for the year ending 31st December 1860.

HEADS OF RECEIPT.

	£	s.	d.	£	s.	d.	£	s.	d.
Customs.									
Duties -	29,702	8	6						
Harbour dues -	610	7	7						
Head money -	1,054	0	0						
Tonnage dues -	3,669	5	3						
Inland Navigation									
licences -	98	10	0						
Warehouse fees -	12	8	0						
Seizures -	112	17	0						
Tolls at Yale and									
Douglas for Nov.	259	14	6						
				35,519	10	10			
Land sales -				10,962	15	1			
Licences, spirit and trading -				2,284	12	10			
Free Miners' certificates -				1,594	6	0			
Mining receipts, general				805	12	0			
Ferries and tolls -				376	19	0			
Rent -				379	4	4			
Fines, fees, and forfeitures -				572	8	6			
Postage -				89	3	9			
Miscellaneous -				274	8	5			
Assay fees -				140	8	0			
Interest -				11	12	10			
Refund -				0	8	6			
				53,011	10	1			
				£53,011	10	1			

HEADS OF EXPENDITURE.

	£	s.	d.	£	s.	d.	£	s.	d.
Establishments.									
Salaries, fixed -	5,138	18	9						
Salaries, provisional									
and temporary -	9,699	14	2						
Office contingencies	982	16	3						
Allowances -	915	8	4						
				16,736	17	6			
Works and buildings -				3,513	19	6			
Roads, streets, and bridges -				18,935	0	9			
Transport -				1,413	19	0			
Administration of justice, exclusive									
of establishments -				199	16	0			
Revenue services, ditto -				176	2	8			
Police and gaols, ditto -				710	13	0			
General expenditure, ditto -				360	17	6			
Surveys and explorations, ditto -				1,296	5	2			
Charitable allowances -				200	0	0			
Conveyance of mails -				57	15	0			
Miscellaneous -				340	4	2			
Rent -				48	0	0			
Refund -				135	0	0			
							44,124	10	3
Balance -							8,886	19	10
							£53,011	10	1

The above account, although only approximate in consequence of the whole of the returns not having yet been received, is still not far from the actual receipts and expenditure, the principal items being compiled from the actual accounts.

(Signed) WILLIAM A. G. YOUNG,
Acting Colonial Secretary,
Acting as Auditor.

Audit Office, 15th January 1861.

Enclosure 2 in No. 17.

Encl. 2 in
No. 17.

APPROXIMATE STATEMENT of EXPENDITURE during 1860.

On Roads, Streets, and Bridges.

	£	s.	d.	£	s.	d.
Harrison Lilloet Road -	5,237	18	9			
Yale and Spuzzem Road -	4,426	13	7			
Chapmans Bar and Boston Bar Trail	3,446	10	10			
Hope and Shiniikameen Road -	4,304	3	0			
Langley and Sumas Trail -	210	0	0			
Bridges at New Westminster, &c. -	376	4	2			
Clearing Streets, &c., New Westminster	692	6	8			
Sundry small works at Out-stations	241	3	9			
	18,935	0	9			

On Works and Buildings.

	£	s.	d.	£	s.	d.
Harrison River Navigation Improvement	689	19	2			
Assay Office and Officers' Quarters, New Westminster -	1,072	7	8			
Gaol at New Westminster -	584	14	0			
Painting, &c Treasury, ditto -	222	2	0			
Court House, New Westminster -	232	10	0			
Replacing Bouys, Fraser River -	236	4	2			
Sundry works at Out-stations	476	2	6			
				3,513	19	6

(Signed) WILLIAM A. G. YOUNG,
Acting Colonial Secretary,
Acting as Auditor.

Audit Office, 15th January 1861.

No. 18.

No. 18.

COPY of a DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(Separate.)

New Westminster, February 28, 1861.

(Received May 13, 1861.)

MY LORD DUKE,

SINCE I last had the honour of reporting on the state of affairs in this Colony, I have received various communications from the district Gold Commissioners, the substance of which I will now lay before your Grace.

A report from the Gold Commissioner at Hope, dated 31st January, represents that district as being in a perfectly tranquil state; that about 300 miners were then employed in that vicinity, a large proportion of whom were Chinese; and that it was probable there would be a considerable emigration of that class towards Rock Creek and Shiniikomeen in the course of the spring. The river communication from New Westminster had been closed by ice for 11 days, but was then open, and the steamer "Hope"

BRITISH
COLUMBIA.

Encl. No. 1.

had arrived on the preceding day with some freight, which was carried at the reasonable charge of 20s. a ton. Food was abundant in the district and prices moderate, as will be observed from the enclosed statement.

Encl. No. 2.

The miners at Shimilkomeen had not been able to do much work on their mining claims in consequence of the coldness of the weather, and the river being covered with drift ice. Bench diggings had however been discovered by several mining companies, which were expected to yield from 20s. to 30s. a day to each man employed in washing. Many new houses were being erected, and deals and other material prepared for the operations of the coming season. Bread stuffs and other articles of food were not abundant, and the price of those articles much higher than at Hope. Great exertions were being made to forward supplies by the mountain road opened last summer, which is practicable even in winter notwithstanding the depth of snow. It is not therefore apprehended that the miners in that district will suffer from want of food.

Encl. No. 3.

Mr. Commissioner Sanders reports that the Yale district continues in a satisfactory state. Mining is carried on to an equal extent, but he is of opinion with less remunerative results than last year. The mining claims are with few exceptions in the hands of the Chinese, there being about 2,000 of this people within the district. As a rule they have been successful and many have returned to their homes the possessors of from 2,000 to 4,000 dollars. There are but few white miners, and the major part of the small number still in this district intend to leave for Rock Creek or the Caribœuf country in spring. The total number of miners wintering in the district is about 3,000. There are about 2,000 Chinese in Yale and its environs alone. The cold weather had put a stop to all mining operations. The enclosed extract from Mr. Sanders' report contains some interesting information respecting the state of trade, and the public works in progress, especially the road leading from Yale to Lytton.

Encl. No. 4.

* * * * *

The enclosed extract from Mr. Cox's report of the 16th January to the Colonial Secretary will convey in his own words the latest information from the mines on Rock Creek.

The last report from Mr. Elwyn, the Gold Commissioner of Cayoosh district, is dated on the 16th of February. The melancholy fate of Mr. Price, a respectable tradesman, who was barbarously murdered in his own house at Cayoosh, on the evening of the 1st of February, has excited an intense sensation. The authors and object of the crime are unknown, it is supposed however to have been committed by Indians, and three of those people have been taken into custody on suspicion, and duly committed for trial at the next assizes. The weather was already warm and pleasant at Cayoosh, and the exodus had commenced of miners and mule trains with supplies for the upper country; their departure being probably hastened by the arrival of several miners from Alexandria with reports of some wonderfully rich discoveries on Bear River, a stream which discharges into the south branch of Fraser River above Fort George. These men assured the Gold Commissioner that 25s. worth of gold had been washed out of a single bucket of the auriferous earth; and though he freely admits that there may be some exaggeration in these statements, yet he seems to entertain no doubt of their general accuracy, nor of the fact that very valuable discoveries have actually been made during the present winter in that quarter. Mr. Elwyn also states that the bridge over Fraser River, which was in course of erection by a private company near Cayoosh, was accidentally destroyed when more than half the work was finished, and the enterprise is therefore abandoned for the present, a circumstance which I much regret, not only on account of the travelling public who will be put to much inconvenience through the want of a bridge at that point; but also of the spirited adventurers, who have sustained a heavy pecuniary loss, and whose enterprise merits a better fate.

There is no further intelligence of much importance from the mining districts.

The reduction from 10s. to 4s. 2d. per acre in the upset price of country land, will no doubt give an impulse to the settlement of the country, but the change has been so recently made that we are not yet able to judge of its practical effects; we are however at present engaged in opening roads through the forests, into the more fertile districts around New Westminster, in order to render them accessible and to remove every serious impediment to their early settlement, which by that means will be greatly promoted.

I have, &c.

His Grace the Duke of Newcastle, K.G.

(Signed) JAMES DOUGLAS.

&c.

&c.

&c.

Enclosure 1 in No. 18.

PRICE of PROVISIONS at HOPE, January 31, 1861.

				£	s.	d.	£	s.	d.
Flour	-	-	-	per barrel	1	8	0	to	1 12 0
Bacon	-	-	-	per lb.	0	0	10	„	0 0 11½
Beans	-	-	-	„	0	0	2½	„	0 0 4
Sugar	-	-	-	„	0	0	5	„	0 1 0½
Coffee	-	-	-	„	0	1	0	„	0 1 2
Tea	-	-	-	„	0	2	0	„	0 4 0
Butter	-	-	-	„	0	1	2½	„	0 2 7
Lard	-	-	-	„	0	0	10	„	0 1 3
Rice	-	-	-	„	0	0	4	„	0 0 4½
Candles	-	-	-	„	0	1	8	„	0 2 1

(Signed) P. O'REILLY, J.P.

Hope, January 31, 1861.

BRITISH
COLUMBIA.Encl. 1 in
No. 18.

Enclosure 2 in No. 18.

PRICE of PROVISIONS, SHIMILKOMEEN DISTRICT, January 1861.

						s.	d.
Flour	-	-	-	-	-	per lb.	1 4½
Bacon	-	-	-	-	-	„	1 10
Lard	-	-	-	-	-	„	2 0
Sugar	-	-	-	-	-	„	1 3
Tea	-	-	-	-	-	„	5 0
Coffee	-	-	-	-	-	„	2 0

Encl. 2 in
No. 18.

Enclosure 3 in No. 18.

Mr. SANDERS to the COLONIAL SECRETARY.

(Extract.)

Yale, December 27, 1860.

Trade is dull, the staples principally in demand are flour, bacon, and sugar. The ruling prices are as follows:—

				Wholesale.			Retail.			
				£	s.	d.	£	s.	d.	
Rice	-	-	per lb.	0	0	5	-	0	0	6
Flour	-	-	per 100 lb.	0	18	0	-	1	0	0
Bacon	-	-	per lb.	0	0	10	-	0	0	11½
Butter	-	-	"	0	2	6	-	0	3	0
Beans	-	-	"	0	0	3½	-	0	0	4½
Sugar	-	-	"	0	0	9	-	0	0	10
Tea	-	-	"	0	3	0	-	0	4	0
Coffee	-	-	"	0	1	8	-	0	2	0
Potatoes	-	-	"	0	0	1½	-	—	—	—
Fresh meat	-	-	"	0	1	0	-	—	—	—

In 1859—Flour was per 100 lbs.	1	8	0
Butter per lb.	-	0	5 0
Beans „	-	0	0 6

The rates of freight in consequence of excessive competition are remarkably low at present, being only 3*l.* a ton from Victoria to Yale; in the spring of this year as much as 10*l.* was charged.

The miner and labouring man can live comfortably on 3*s.* a day.

The charge made at the restaurants for board and lodging is 2*l.* a week.

The rates of wages is 10*l.* a month and keep.

The population of the town of Yale, according to a recent census, is 105 whites, 260 Chinese, and 200 natives, living in 110 dwelling houses.

The roads of the district have borne the severe test of the recent very heavy rains remarkably well; I went over the Yale and Spuzzem portion subsequent to the rains; with the exception of being furrowed here and there by small mountain streams seeking an outlet, it had not suffered in the least.

Messrs. McRoberts and Power have completed the second section of their contract. The "Colonel's Retreat" has ceased to be an obstacle in the way. A mile of rough boulders beyond the "Retreat" has been reduced to the evenness of a billiard table. The bridge over the ravine before reaching Nicaragua Bluff is completed, so also that portion of the road known as the "Zig-zag."

On the Boston Bar end too, three miles of road are finished, and the timbers for the bridge over the river Anderson have been hauled from a considerable distance on to the ground; finally a party of eight men are constantly employed on the bluff, a bench of 80 yards in length being already accomplished.

The ferry at Spuzzem has been leased to Mr. Yorke at a rental of 30*5*⁴/₄ per annum. The rates of toll have been reduced from 6*s.* to 2*s.*

BRITISH COLUMBIA. For the better collection of the "roads tolls" a toll house and gate have been erected at a cost of 70*l*. I estimate the probable yield of the road toll during the ensuing year at 5,300*l*.

5,000 mules, 300 lbs. each, or 1,500 tons	-	-	3,000
400 tons carried by boats	-	-	800
750 tons carried by Indians	-	-	1,500
			5,300

According to lists kept by me during the past season, 2,723 mules packed from this town, viz., in June 271, in July 603, in August 779, in September 742, in October 328.

The revenue of the district has experienced a slight reduction as compared with the revenue collected in 1859.

	£	s.	d.
Mining licences	-	-	267 0 0
Mining receipts (general)	-	-	201 6 2
Tolls and ferries	-	-	238 17 5
Sales of lands	-	-	272 0 0
Fines and fees	-	-	96 14 0
Spirit licences	-	-	320 0 0
Tracking licences	-	-	141 0 0
			1,536 17 7

The expenditure of 1860 amounts to 1,366*l*. 2*s*. 4*d*.

I am, &c.
(Signed) E. H. SANDERS,
Assistant Gold Commissioner.

Encl. 4 in
No. 18.

Enclosure 4 in No. 18.

Mr. COX to the COLONIAL SECRETARY.

(Extract.)

Rock Creek, January 16, 1861.

I BEG leave to enclose for the information of his Excellency the Governor a rude sketch of the respective British and American towns, Boundary Creek.

Mining was carried on here as late as the 28th December by sluicing and rocking; 28*s*. per day to the hand being the average pay.

The weather still continues extremely mild; a continued frost, but not severe, and undisturbed by either storm or rain.

A ditch that will cost time and money is being constructed by Messrs. Curry and Co., it will take its course along the S.W. side of the creek, and terminate immediately opposite the town; its length one mile and a half; it is for the purpose of washing those benches which have been tunnelled about 20 feet into the gravel and 30 feet above the level of the creek, with fair results, viz., four colours to the pan.

A bridge is also being erected over Colville River facing the town, which will be a great improvement; although I cannot at present see where the receipts are to come from, the river being fordable during fully nine months of the year.

I purpose accompanying some miners to the gold fields reported to exist near the "Mission" on the Okanagan Lake, or rather on one of its tributary streams, as soon as I can procure a horse; and shall report to his Excellency what is to be seen there.

Active preparations for building are going on, and I, together, I may say, with all others, anxiously wait for his Excellency's instructions respecting the survey of the town, which I think should be proceeded with as soon as possible in order to meet the expected excitement.

The town now contains 23 good houses, some of which have been erected at a large outlay.

I shall feel obliged by being provided with the necessary authority for disposing of agricultural land to aliens, as at present I have nothing to guide me in the matter. I require also to know the conditions on which a saw mill privilege is to be granted.

Farms have been taken and houses built a few miles south of the line, which I dare say will be used as storehouses for spirits, &c., &c. until a favourable opportunity may present itself for smuggling such goods in here, so will require to be well watched. The creek affords every facility along both its banks for such manœuvres unfortunately.

Labour now averages 12*s*. per day without board.

PRICE OF PROVISIONS.—January 1861.

	£	s.	d.		£	s.	d.
Flour - - - per lb.	0	0	10	Beans - - - per lb.	0	1	3
Bacon - - - "	0	2	0	Rice - - - "	0	1	8
Lard - - - "	0	2	0	Candles (scarce)	0	6	0
Sugar - - - "	0	1	8	Dried apples - - - "	0	1	8
Tea - - - "	0	5	0	Molasses - - - per gallon	1	0	0
Coffee - - - "	0	2	0				

(Signed) WILLIAM COX, J.P.

Rock Creek, January 16, 1861.

No. 19.

BRITISH
COLUMBIA.

No. 19.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(No. 33.)

Victoria, Vancouver Island, May 2, 1861.

MY LORD DUKE,

(Received June 17, 1861.)

IN my Despatch marked Separate,* of the 28th of February last, allusion was made * Page 45.
in Mr. Cox's letter of the 16th of January, forming enclosure No. 4, to some reported
Gold Fields at Lake Okanagan, and the intention of the Gold Commissioner to ac-
company a body of miners to inspect that part of the country. The miners proceeded
on their proposed excursion, and returned to Rock Creek in the beginning of March,
when they communicated the very satisfactory intelligence that they had found grain
and scale gold of fine quality, in remunerative quantities, in all the streams flowing into
the western shore of Lake Okanagan, which is over 70 miles in length. This important
discovery had not been made public at Rock Creek, for the reasons stated in Mr. Cox's
interesting report on the subject, which I herewith transmit, unabridged, for your
Grace's information.

2. I have also just received a very satisfactory report from Mr. Commissioner Nind,
of Alexandria district, mentioning the great discoveries which have been made during
the winter at Antler Creek, a tributary of Bear River, which flows from the mountains
east of Quesnelle Lake into the south branch of Fraser River.

3. On the occasion of Mr. Nind's visit to Antler Creek, the whole face of the country
was still deeply covered with snow; but a great number of miners were nevertheless on
the ground anxiously awaiting the advent of spring to commence operations.

4. These discoveries were alluded to in my Despatch of the 28th of February last,
and are now satisfactorily confirmed by the present report from Mr. Nind, who, however,
refrains from giving currency to the perhaps exaggerated statements received from
miners, that as much as 70 dollars worth of gold has been extracted from a single pan
full (containing about one gallon) of earth.

5. The confirmed impression, however, is, that a gold field of extraordinary richness
has been now discovered, and I sincerely trust that those impressions may be fully
realized.

6. It is matter of sincere congratulation that the tranquillity of the country has been in
nowise disturbed by the excitements arising from those discoveries; and that, as a body,
the miners are well conducted and submissive to the laws.

7. A copy of Mr. Nind's report, and sketch of the new gold field, is also transmitted
for your Grace's information.

I have, &c.

His Grace the Duke of Newcastle, K.G.

(Signed) JAMES DOUGLAS.

&c.

&c.

&c.

Enclosure 1 in No. 19.

Encl. 1 in
No. 19.

SIR,

Rock Creek, March 1, 1861.

I HAVE the honour to report, for the information of his Excellency the Governor, the result of
Messrs. Beam and Company's prospecting tour to the Okanagan Lake, and at the same time enclose
for his Excellency's inspection some unchosen gold taken out of the river Sand Cove, "Anse de Sable."

I shall now repeat as nearly as possible what was expressed by the above party.

"We prospected nine streams, all tributaries of the lake, and found gold in each, averaging from
three to 90 cents to the pan; the ground was much frozen and impeded our work. We are quite
satisfied of the richness of these mines, and shall as soon as feasible dispose of our claims on Rock
Creek and leave for that section of the country, where a miner can grow his potatoes and other
vegetables, besides keep his cow. We hand you some gold taken from William Pion's claim; he makes
\$4 per day with a rocker, and we as old and practical miners could realize much more by sluicing and
other methods.

"The Indians treated us most hospitably, lending us canoes and horses free of charge; the soil,
especially in the valleys, is well adapted for farming and stock raising. The snow, which did not exceed
one foot in depth, is fast disappearing. We only prospected the flats, the frost preventing our proceeding
up the creeks, where it is naturally to be believed the principal portion of the gold is deposited."

I have been particular in quoting the above, as Mr. Beam, the discoverer of "Rock Creek" gold
fields is universally acknowledged to be a good and sure prospector.

IV.

G

BRITISH
COLUMBIA.

I have not made the above statement public, as it would only lead to bad results just at present. The miners in this neighbourhood would be easily coaxed off, and the mines now in a preparatory condition for being properly worked, abandoned; improvements going forward on buildings and farms would be checked; town lots would almost be unsaleable; in fact, the expected revenue receipt would be seriously interfered with.

The Colonial Secretary.

I have, &c.
(Signed) WILLIAM GEORGE COX.

Encl. 2 in
No. 19.

Enclosure 2 in No. 19.

SIR,

Williams Lake, March 27, 1861.

I HAVE the honour to inform you that during the winter great excitement has prevailed respecting the discovery of rich diggings on Antler Creek. The secrecy observed by its discoverers, the large prospects they were reputed to have found, together with the subsequent announcement of the situation of the creek, tended so to inflame the minds of all, that a rush of people took place in the dead of winter to this new El Dorado.

Many claims were recorded, and in several instances the same ground was taken up by different parties. This led to contention, and almost to open violence, at one time deadly weapons being drawn, but happily with no evil result.

Shortly afterwards, an appeal having been made for my interference, I determined to proceed to the forks of Quesnelle, and if necessary to Antler Creek. Accordingly on the 27th February I left Williams Lake accompanied by a constable and two Indians carrying necessities for the journey. In consequence of the difficulty of travelling we did not reach the forks of Quesnelle until the 3rd March: here I learnt that the majority of miners was on Keithley's and Antler Creek expecting my arrival; I resolved therefore to visit these places. The route, which was a different one to that travelled by me last autumn, led up the left bank of the north fork of Quesnelle River for about seven miles; it then crossed the river at Mitchell's Bridge, and continued on the right bank to the Lesser Caribou Lake, the entire distance from the Forks of Quesnelle being about 20 miles.

I can speak favourably of the enterprize and ingenuity displayed by Mr. Mitchell, who without assistance has built the piers of this bridge, and has made blocks and a windlass from the materials around him. I should judge that by this time the bridge must be nearly completed and fit for the passage of foot travellers and animals.

On the north fork of Quesnelle mining is carried on with much spirit by some few companies which have been engaged nearly all the winter in constructing wing dams and water-wheels for working the channel at a low-water stage. Success has attended the labour of most, and a large quantity of gold has been extracted. I visited Messrs. Keithley's and Diller's claim, which is on the hill side, about 60 feet above the level of the water; it was discovered late last autumn, and at first proved of almost unprecedented richness; a tunnel was bored into the bank, but owing to natural causes was obliged to be abandoned; subsequently the hill was pierced in two other places, but the lode seemed to have been lost, for no prospects were found. Mr. Diller has persevered in attempting to recover the lode, and has informed me that he thinks he has at length succeeded.

Good prospects have been obtained on benches 100 and 200 feet above the present river level, and it is anticipated that paying diggings exist for a numerous body of miners at a future period, when some of the preliminary difficulties attached to the development of the country are removed.

That the river has once been a much larger stream, or has occupied a different channel, is apparent from the still perceptible traces of an old channel, and the alluvial flats deposited by its action on either bank.

Above what is called the Falls, which are some five miles from Caribou Lake, scarcely any gold has been found. Crossing the Lower Caribou Lake the trail leads to two houses intended for stores, at the mouth of Keithley's Creek; it then passes up the creek to Mr. Davis' store, a distance of five or six miles.

I observed here great preparations for fluming, and many thousands of feet of lumber that had been sawn out during the winter.

The snow, which hitherto had averaged about two feet and a half, here commenced to be much deeper, and everything wore the aspect of unbroken winter. I was prevented at Keithley's Creek by stress of weather from prosecuting my journey immediately, and during my detention there I heard of many proceedings on Antler Creek that render the presence of some officer on the ground extremely desirable. The trail to Antler Creek ascends a ravine and then passes along a branch of Snow-shoe Creek for six or seven miles until the summit of the watershed is reached, which divides the streams running into the Caribou Lake, and generally in a southern direction, and those running northward and eastward into Bear and Swamp River. From the top of these mountains a fine view is obtained of the surrounding country, which northward and eastward is bounded by rugged and lofty mountains; towards the west and north-west the prospect is more level, and immediately below the peak on which I was standing, lay rolling timbered hills intersected by valleys and ravines. Where the snow had been swept off by the wind I noticed masses of quartz rock and two species of grass, said to be very common on these mountains, one a kind of red top, the other very fine and feathery in appearance. After traversing the summit for some miles the descent into the valley of Antler Creek commences. I should imagine that from Mr. Davis' store to Messrs. Rose and McDonald's claims, which are the first that were taken possession of on Antler Creek, the distance is about 20 miles N.N.E.

The streams that I passed on the journey were numerous, and where it was possible from the falling in of the ice and snow, to observe their beds, I noticed the same characteristics of large quartz boulders,

and a kind of slate rock covered with red gravel, said to bear a close resemblance to the rich auriferous beds of the streams of the southern mines of California. I found one log cabin on Antler Creek built by the discoverers Rose and McDonald; the rest of the miners were living in holes dug out of the snow, which was between six and seven feet deep. I remained here fully occupied for nearly six days in settling mining disputes, and transacting other business. Matters passed off without any disturbance, and if all were not satisfied the unsuccessful parties submitted quietly on finding their claims were not supported by the law.

Although I do not wish to disparage the motives that actuated such extremely creditable and decorous conduct as was displayed on Antler Creek, yet I am of opinion that the following reasons materially tended to bring about such a desirable result. Every miner had an interest in the country, the value of which in these new gold fields no one could truly estimate; but the prospect was more dazzling than had ever been presented before: it was patent to all who were old residents that English law, if transgressed, was not to be evaded with the same impunity as California law; no one therefore cared to risk the loss of what might be a fortune to him; besides this, there was an absence of every kind of intoxicating liquor. Prospecting was done during my stay, and in some cases proved most successful; but the labour of shovelling away the snow and sinking holes at that season of the year was excessive.

The creek winds through the centre of a narrow valley, and is surmounted by hills sloping down to flats and benches of alluvial deposit; the bed rock on which the gold is found lies but a short distance under the surface, and in many places crops out: there are several tributaries of the same general appearance as the main stream which offer facilities for the introduction of water; in addition, the absence of high precipitous banks, and the abundance of good timber form some of the favourable features that will render the working of mines on this creek more easy and comparatively less expensive than has been the case on the other known creeks of the Caribou country. Setting the workable ground at a low estimate, there is room here for at least 1,000 miners. Cunningham's Creek, discovered last autumn, but not prospected until after the Antler Creek excitement, has lately obtained a high reputation, a number of claims have been taken up and recorded upon it since the middle of last month, and it bids fair to rival Antler Creek in popularity. I believe it is about the same size, and will accommodate the same number of men.

I have the honour to enclose a map drawn for me by Mr. J. Martin, an enterprising prospector, and a most intelligent person; it embraces a section of country known to but very few, and may, I think, be relied upon. The question of a mining Board, as laid down by the Gold Fields Act, being mooted, I encouraged the idea, as I believe that such an organization would be beneficial to the miner and the Colony. A new description of mines has been discovered which promises a more lasting employment of labour than has hitherto existed, and the features of the country being different to those of any other gold country, and unknown at the passing of the Gold Fields' Act, or the subsequent rules and regulations, I respectfully submit that its peculiarities are best met and turned to account by those who are most conversant with them. It is true that amongst individuals, and mining cliques which play into one another's hands, there are frequent attempts at monopoly and overreaching; yet the mining community at large, in the discussion of a question that affects its common interest, is just and impartial in matters of fact, and clear-headed in abstract questions.

Respecting the gold resources of the Caribou country, a perfect unanimity exists; but it is probable that many of those now so sanguine, particularly the new comers, who are unacquainted with the numerous difficulties that must be overcome, will meet with reverses and disappointment: those, however, who are fortunate in placer mining will turn their attention to the discovery of hill diggings and quartz lodes; hitherto, no one has prospected on the hills, exploration having followed up the course of the streams, from the necessity of obtaining immediate returns. One statistical proof of the general sentiment lies in the number of mining certificates that have been issued, and which I can safely assert embraces nine-tenths of the population, and would exceed that proportion amongst the whites; but the Chinamen, who are daily arriving, show no disposition to avail themselves of these documents, saying, when pressed to take out mining certificates, that they have only come up to prospect, and have no money. I returned on the 23rd March to Williams Lake, having been absent 25 days, and travelled a distance of about 230 miles. I found the snow had almost entirely disappeared from this valley, and Mr. Davidson had commenced ploughing about a fortnight previously. One train of packed horses arrived at Williams Lake before the end of February, but were compelled to wait some time before being able to proceed to Beaver Lake. Since this, 30 or 40 head of cattle have been driven into the forks of Quesnelle, and many trains have got as far as Beaver Lake, from which place the loads are conveyed into the forks of Quesnelle by Indians, who received 10 dollars per 100 lbs.; and as many of them, even amongst the women, are capable of carrying from 150 to 180 lbs., they are earning at the rate of from seven to nine dollars a day. Indians have been very highly paid for their labour all through the winter, and the Antler Creek excitement has given them plenty of employment; their manufactures too, have rated proportionately high; ordinary mocassins fetching from three to 10 dollars per pair, and snow shoes from 10 dollars to 25. Provisions rose during the winter, although the supply was quite equal to the demand. Flour has been selling here at 37 cents. per lb.; beans and rice about the same; and bacon at from 65 to 90; beef, 30 to 37½.

At the forks of Quesnelle, prices have been higher. At Keithley's Creek, flour was at 75; and on Antler Creek, provisions were one dollar a lb. all round. Pack-trains are arriving daily, and afford a contrast to the proceedings of last year: the miners then came in before the provisions, but now the provisions are coming before the miners: this is reducing prices, and will, no doubt, have a good effect on this part of the country.

It will be some time before animals can travel into the forks of Quesnelle; it is with much difficulty that they make the journey from here to Beaver Lake, and they are obliged to carry provender with them. A new trail has been opened from the Little Lake into the forks of Quesnelle, it is better graded than the old one, but I think is rather longer. I found Mr. Adler's new bridge over the south fork of Quesnelle completed on my return, and can speak in terms of high commendation of its workmanlike and substantial appearance. I was informed that its cost had been above 5,000 dollars, and from the high rate of wages, and the labour expended upon it, I do not imagine that a similar structure

BRITISH
COLUMBIA,
— —

could be raised for a less sum. Mr. Adler has shown much enterprise in endeavouring to secure the traffic of the ensuing year to the forks of Quesnelle, as it is by no means certain that travellers will adopt this route to the northern mines.

The Colonial Secretary.

I have, &c.
(Signed) PHILIP HENRY NIND.

No. 20.

No. 20.

COPY of DESPATCH from GOVERNOR DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(Separate.)

MY LORD DUKE,

Lytton, June 4, 1861.

(Received July 29, 1861.)

SINCE my departure from Victoria, on the 10th May I have visited in succession the towns of New Westminster, Hope, Yale, and Lytton, from whence I have now the honour of addressing your Grace.

2. It is not necessary to trouble your Grace with remarks on the condition of those towns, which all exhibit a satisfactory degree of progress, yet nothing more than was anticipated from the quiet and prosperous state of the Colony.

3. The most interesting feature about New Westminster is the newly formed lines of road through the densely wooded country north of that town, which has induced settlers to turn their attention that way, and will probably lead to the rapid extension of settlement in the direction of Burrards Inlet. A similar result in promoting early settlement is anticipated from another new line of road which is being formed on the left bank of the Fraser, commencing a little below New Westminster, and running in a southerly direction towards the frontier. The forests opposite the town are beginning to yield to the woodman's efforts; and one enterprising proprietor, Mr. Brown, has discovered on his ground a large tract of excellent land, which certainly cannot be surpassed in point of fertility or quality of soil.

4. Many land claims have been taken by settlers along the Fraser, yet in my progress from New Westminster to Hope there was scarcely a trace of improvement or any observable inroad on the forest. The Pre-emption Act is, however, beginning to work its effect, and will, as I confidently believe, ere long make a decided change on the face of the country.

5. Several industrious settlers, probably about eighty in number, have taken land around Hope and Yale, and are toiling assiduously in clearing and preparing the soil for crops. The carriage road from Hope towards Shimilkomeen, of which about 12 miles are now open to travel, is a great accommodation to settlers, who eagerly grasp at every improvable piece of land to which it gives access.

6. Captain Grant, with a detachment of 80 Royal Engineers under his command, and about 80 civilian labourers, is employed in the formation of that road, which we hope to complete before the return of winter, providing always that the public revenue continues in a prosperous state, and our funds do not in the meantime fall short.

7. I am especially anxious for the completion of that highly important work, so valuable as a military road, leading towards the frontier, and as an outlet for the trade of the most fertile agricultural districts of the Colony, and, from discoveries which are being continually made, probably the most auriferous. Every successive discovery indeed tends to confirm the impression that the gold fields which have been struck at Rock Creek and Quesnel River or Caribou, are but two points in a range of auriferous mountains containing incalculable wealth, which, commencing at Rock Creek 49° N. lat., 118° 30' W. long., run almost due north between Great Okanagan Lake and the Columbia River to lat. 51°, and from thence along the North River in a north by west direction, through the Quesnel and Caribou country to the banks of Fraser River, at 54° N. lat., 123° W. long., a total distance of nearly 330 miles, a theory, which, if correct, opens a magnificent vista of future greatness for the Colony.

8. We saw very little mining between Hope and Yale, the miners having been generally driven from their claims by the high state of the river.

9. Entering the passes of the Fraser beyond Yale we pursued our route over the new road amidst scenery of the grandest description. Mountains rising to the skies on both sides of the narrow pass, and immediately beneath the Fraser frantically tearing its way

in foaming whirls convey a faint idea of the scene. Neither are softer features wanting, every spot of the earth being prolific of vegetation, and the mountains' sides covered with the most beautiful flowers.

10. Settlers, true to their instincts, have followed the new road even into the passes, and are bringing every spot of tillable land into cultivation. At the Great Falls two adventurous Frenchmen have built a kiosk and laid out a pretty little garden for the entertainment of visitors. The traveller has no reason to dread a journey through this part of British Columbia, as at every few miles is to be found a wayside inn, with refreshments of every kind.

11. The new road on Fraser River from "Spuzzem" to "Quayome" runs along the face of frightful precipices, but is, nevertheless, perfectly safe for horse and mule travel.

12. There is a great deal of good mining ground between Yale and Lytton, and the miners of the district have displayed an unusual degree of skill and enterprise in conducting water to their claims, by means of canals and viaducts, from the distant mountains.

13. One of these works, called the "Poor Man's Ditch," the property of Mr. Melodey and three other natives of Ireland, who came to this Colony in the year 1858, entirely without capital, and commenced their career as simple miners, is seven miles long, and has cost them about 15,000 dollars. These persons have another expensive work of the same kind on Van Winkle Flat, which now yields them a very handsome income. This is not a solitary instance of successful enterprise, as almost all their contemporaries who have remained in the Colony since the year 1858 are now possessed of wealth and position, and considering the advantages offered to emigrants one only regrets that a greater number of Her Majesty's subjects have not made British Columbia their home.

14. Much remains to be done for the improvement of this part of the Colony. A carriage road from Quayome to Lytton, is the work that demands our more immediate attention. Its importance is evident, and the people of Lytton have, almost to a man, come forward with a petition praying that it be made without delay, and a further tax levied on goods carried inland to defray its cost, which will probably not fall short of 10,000/.

15. I propose leaving this place to day for Cayoosh by the Buonaparte River, the great stock range of the Colony, where I expect to meet with many settlers.

16. I would also inform your Grace, that we are daily receiving the most extraordinary accounts of the almost fabulous wealth of the Antler Creek and Caribou diggings. Mr. Palmer, a respectable merchant, who arrived the other day from that part of the country with nearly 50 pounds weight of gold, which he kindly allowed me to examine, assured me that these accounts are by no means exaggerated. As an example of the extraordinary wealth of the country, he mentioned that four of his friends who are associated in a mining company, were making regularly from 16 ozs. to 37 ozs. of gold a day, being 4 ozs. to 9½ ozs. each; by "fluming" another company of four men washed out with cradles, in his presence, 36 ozs. of gold in one day; and the yield of ordinary mining claims is from 20 to 50 dollars a day for each man employed.

17. The gold in Caribou is not confined to the rivers. It is found in the gulches and table land 300 and 400 yards from the rivers, and much beyond their highest levels. About a foot of gravel overlies the bed rock of light coloured shale extremely soft, or in mining phrase "rotten," where the gold is found in the rents of the shale. He says, there are mountains of quartz, and he is of opinion, that some of the richest quartz leads in the world will be found there.

18. Mr. Barnston, another respectable traveller from Caribou, corroborates Mr. Palmer's testimony, and adds that he never before saw a class of men more elated with their prospects than the miners of Quesnel; they look to a successful season, and expect to leave the country in the autumn with their fortunes made. He feels assured of the almost fabulous wealth of the country; ordinary claims pay 50 dollars a day to the hand, and he knows one company of four men working on Antler Creek, who each receive 1,000 dollars a week from their mining claim.

19. The testimony of other persons is confirmatory of these extraordinary statements; a private note dated 28th May 1861, from Mr. Nind, the Assistant Gold Commissioner for Quesnel River Districts, has the following remarks:—"The news is still good from above.* * Caribou. "We have the right thing at Caribou." So that all things considered, I see no reason for

BRITISH
COLUMBIA.

doubting the correctness of the current reports, and I am sorry, indeed, that so small a portion of that wealth should at present be reaped by Her Majesty's subjects.

His Grace the Duke of Newcastle, K.G.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

No. 21.

No. 21.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(Separate.)

Victoria, Vancouver Island, July 16, 1861.

MY LORD DUKE,

(Received September 30, 1861.)

* Page 52.

WHEN addressing your Grace from Lytton in my Separate Despatch of the 4th of June last,* I communicated the information and impressions of the state of the country which I had received on my previous journey; I will now in this Despatch continue the subject subsequently to my departure from Lytton.

2. Leaving that place I travelled for 35 miles along the banks of Thompson's River by a good horse road lately made at a trifling cost, and successively visited the Buona-parté and Hat Rivers, and the Pavilion, where we fell upon the Fraser, and followed it downwards to Cayoosh. The district comprehended within those limits is exceedingly beautiful and picturesque, being composed of a succession of hills and valleys, lakes and rivers, exhibiting to the traveller accustomed to the endless forests of the coast districts, the unusual and grateful spectacle of miles of green hills, curving slopes, and level meadows, almost without a bush or tree to obstruct the view, and even to the very hill tops producing an abundant growth of grass. It is of great value as a grazing district, a circumstance which appears to be thoroughly understood and appreciated by the country packers, who are in the habit of leaving their mules and horses here when the regular work of packing goods to the mines is suspended for the winter.

The animals, even at that season, are said to improve in condition, though left to seek their own food, and to roam at large over the country, a fact which speaks volumes in favour of the climate and of the natural pastures. It has certainly never been my good fortune to visit a country more pleasing to the eye, or possessing a more healthy and agreeable climate, or a greater extent of fine pasture land; and there is no doubt that with a smaller amount of labour and outlay than in almost any other colony, the energetic settler may soon surround himself with all the elements of affluence and comfort.

3. Notwithstanding these advantages,* such have hitherto been the difficulties of access, that the course of regular settlement has hardly yet commenced.

4. A good deal of running stock has been brought in for sale; but with the exception of eight or ten persons, there are no farmers in the district. One of those, Mr. McLean, a native of Scotland, and lately of the Hudson's Bay Company's service, has recently settled on a beautiful spot, near the debouch of Hat River, and is rapidly bringing his land into cultivation. He has a great number of horses and cattle of the finest American breeds; and from the appearance of the crops there is every prospect that his labour and outlay will be well rewarded. He is full of courage, and as confident as deserving of success. He entertains no doubt whatever of the capabilities of the soil, which he thinks will, under proper management, produce any kind of grain or root crops. The only evil he seriously apprehends is the want of rain and the consequent droughts of summer, which has induced him to bring a supply of water from a neighbouring stream, by which he can at pleasure irrigate the whole of his fields.

5. I received an equally favourable report from Mr. Reynolds, who commenced a farm at the Pavilion in the year 1859, and he has consequently had the advantage of two years' experience. His last crop, besides a profusion of garden vegetables, consisted of oats, barley, turnips, and potatoes, and the produce was most abundant. The land under potatoes yielded 375 bushels to the acre. The turnip crop was no less prolific; one of the roots weighed 26 lbs.; and swedes of 15 lbs. and 16 lbs. were commonly met with. He could not give the yield of oats and barley, the greater part having been sold in the sheaf for the use of the mule trains passing to and from the mines; but the crop, as was

To accompany Despatch N^o 33.
2^d May 1861.

BRITISH COLUMBIA.

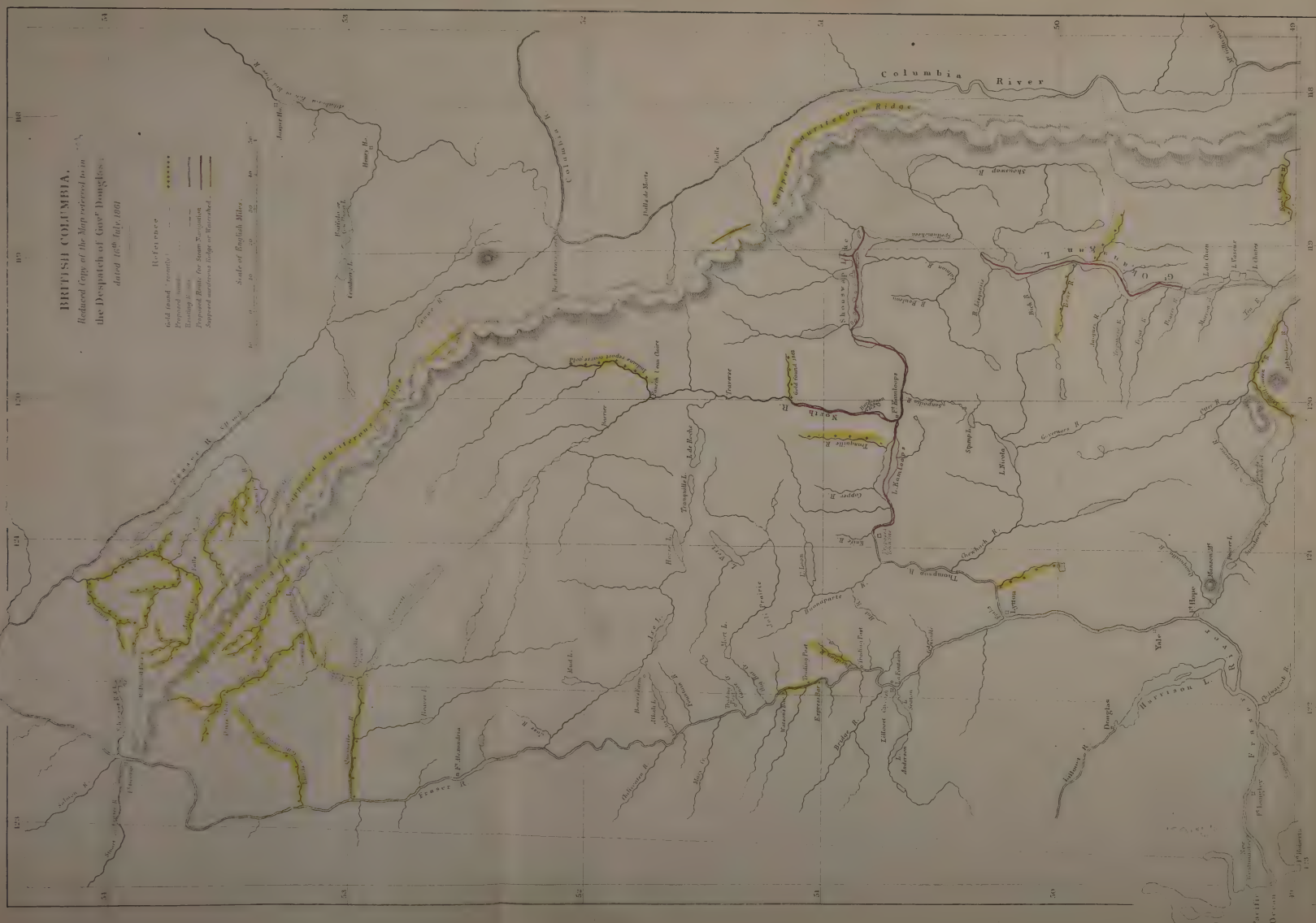
Reduced copy of the Map referred to in
the Despatch of Genl Doughty.

dated 10th July 1861

- Reference**
- Gold found (recently)
 - Proposed route
 - Existing route
 - Proposed Route for Steam Navigation
 - Proposed maritime bridge or tunnel

Scale of English Miles.

0 10 20 30 40 50 60 70 80 90 100



manifest from the weight and length of the straw, which attained a height of fully four feet, was remarkably good. He generally allows his cattle to run at large, and they seldom require to be housed or fed in winter.

6. The cold is never severe; the greatest depth of snow in 1859 was 12 inches, and the following winter it did not exceed six inches. Ploughing commences about the middle of March. The summers are generally dry, and Mr. Reynolds is of opinion that irrigation will be found an indispensable application in the process of husbandry in this district. In the dry summer of 1859 he kept water almost constantly running through his fields; but applied it only twice during the summer of 1860, when the moisture of the atmosphere proved otherwise sufficient for the crops.

7. The numerous streams which permeate the valleys of this district afford admirable facilities for inexpensive irrigation; so bountiful indeed has nature been in this respect, that it is hardly an exaggeration to say that there is a watercourse or rivulet for every moderate sized farm that will be opened in the district.

8. A few successful experiments in husbandry will give confidence, and add to the number of the farming class, which continues to be in a lamentable minority in every part of the Colony, even in districts where one would suppose mining to be a less profitable pursuit than the cultivation of the soil.

9. The mining districts of Thompson's River, and of the Fraser below the Pavilion, have been almost abandoned by the white miners of the Colony, who have been generally carried away by the prevailing excitement to the Caribou and Antler Creek mines; and their claims are now occupied by Chinamen and native Indians, the latter especially exhibiting an unwonted degree of activity in mining. Their daily earnings sometimes reach the large sum of two pounds sterling, and never, as they assured me, fall short of eight shillings, so that they are becoming exceedingly valuable to the Colony, both as producers and as a tax-paying population. I, in fact, ascertained from the official returns of Yale, that 30 per cent. of the amount of roads' tolls was levied directly on the goods of Indians leaving that place; and from their numbers and habits it may be fairly assumed that 40 per cent. of the whole revenue collectively accruing from tolls and customs falls on them.

10. The mines on Tranquille River have lately attracted much attention, in consequence of quantities of coarse gold having been found in pieces weighing as much as three quarters of an ounce; and the discovery of a stratum of auriferous earth, in mining phrase "pay dirt," from three to four feet in thickness, at a much higher level than the present bed of the river, which until then was supposed to be the exclusive depository of gold. This circumstance has given a new direction to the industry of the place, the miners having less faith in surface diggings, and being generally impressed with the advantage of deeper sinkings, which may probably reveal, as was the case in the gold fields of Victoria, greater wealth than has yet been found; and this in my opinion is simply a question of time.

11. There are extensive flats or holmes in the valley of the Thompson that give a large return of gold; but being above the river, they cannot be worked to much advantage until water from a higher level that can be applied to sluicing is brought into play. Several smooth water-worn nuggets, weighing as much as two ounces, have been found on the Thompson below Lake Kamloops; and diggings have been lately discovered on three of the affluents of North River (north branch of the Thompson). The streams flowing from the eastward into Okanagan Lake are also reported to be highly productive of gold—facts, which all tend to support the theory alluded to in my Despatch of the 4th of June last, regarding the existence of a vast auriferous ridge or watershed, extending from Rock Creek to Fort George, and dividing the Columbia from the waters of Fraser River.

12. I feel a deep interest in the exploration and development of that valuable and important division of the Colony, which is now so difficult of access as to be practically closed to the ordinary settler; and there is, moreover, no convenient place where the miner can replenish his exhausted stores. With the view of removing these drawbacks, I propose to lay out a town site, as a mining depôt and centre of trade on Thompson's River, about 10 miles below Lake Kamloops, from whence the navigation is said to be practicable for stern-wheel boats through Lake Kamloops to the distance of 100 miles up North River; and also by the south branch of the Thompson to the further extremity of Shouswap Lake. As another part of the plan I propose that steam boats of the same class should be employed on Okanagan Lake, connecting with the caravans arriving by the way of Hope and Shmilikomeen from Fraser River; and finally, a good road

BRITISH
COLUMBIA.

between the two lakes Shouswap and Okanagan, and from the latter lake continued in a southerly direction to the Columbia River, will complete a line of communication connecting the eastern districts with Fraser River, and affording facilities for transport that will render Hope the channel of trade, and prevent it from seeking an outlet by the Columbia River, and which in other respects will be of inestimable advantage to the Colony.

13. The latest accounts from Caribou confirm the former reports of its vast auriferous wealth. About 1,500 men are supposed to be congregated in those mines, and the number is continually augmented by the arrival of fresh bodies of miners. It will be a work of difficulty to keep them supplied with food, a service which now gives employment to about 1,200 transport horses and mules; and I am in hopes that the large profits made in that business will lead to its extension.

14. To facilitate the transport to those mines I authorized a grant of 400*l.* to improve the river trail from Cayoosh to Williams Lake; and 400*l.* to open a trail from Quesnel to Caribou Lake, the charge, in both cases, to be defrayed out of the district revenues.

15. The remoteness of the Caribou mines, and the large assemblage of people there, have rendered it necessary to establish a gold escort for the conveyance of treasure from Quesnel to New Westminster; and more especially with the view of strengthening the hands of the magistrates in those distant localities by the periodical exhibition of a small military force. This will put the colony to much expense, but I conceive it is an indispensable precaution that may prevent much future evil.

16. There is nothing of much importance to communicate respecting the towns of Cayoosh and Douglas, except that they are both progressively improving. I authorised the grant of allotments of land to the Bishop of British Columbia, at those places, as sites for churches, and 200*l.* at each, in aid of private contributions for the erection thereof. The latter measure was adopted at the instance of the inhabitants generally, who represented that they had no building where Divine service could be properly held; that they had contributed liberally towards the fund; and that their own means alone were not adequate to the erection of Churches. In those circumstances, and as no other denomination of Christians were in the field in that part of the colony, I most cordially responded to the wishes of the public.

17. I returned to New Westminster on the 20th of June; and in conclusion it only remains for me to add the gratifying intelligence that peace and good order prevail throughout the Colony.

I have, &c.
(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle, K.G.,
&c. &c. &c.

P.S.—An explanatory map is transmitted with this Despatch.

J.D.

No. 22.

No. 22.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(No. 55.) Victoria, Vancouver's Island, September 11, 1861.
MY LORD DUKE, (Received Nov. 2, 1861.)

ADVERTING to my Despatch, No. 50, of the 22nd ultimo, and to previous correspondence upon the subject of returns and accounts required from this Government, I have the honour to forward herewith the return for the year 1860, as described on the other side hereof, and I trust that the same may be found satisfactory.

I have, &c.
(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle, K.G.,
&c. &c. &c.

ABSTRACT of the actual REVENUE and EXPENDITURE during the Year 1860, divided under the different established heads of service.

BRITISH
COLUMBIA.

ABSTRACT of the REVENUE received during the Year 1860.

CIVIL.	£	s.	d.	£	s.	d.
Customs - - -	30,416	7	0			
Port and Harbour dues - - -	5,435	18	8			
Land sales - - -	11,075	12	1			
Land revenue - - -	283	3	6			
Free Miners' certificates - - -	1,435	0	0			
Mining receipts, general - - -	807	5	4			
Licences, spirit and trading - - -	2,174	12	10			
Rents, exclusive of land - - -	430	0	3			
Postage - - -	121	7	5			
Fines, forfeiture, and fees of court - - -	562	9	4			
Fees of Assay office - - -	226	17	6			
Interest - - -	11	12	10			
Refund - - -	0	8	6			
Miscellaneous receipts - - -	274	14	5			
Special deposits - - -	40	1	9			
Mule tax - - -	30	0	0			
TOTAL COLONIAL REVENUE - - -	53,326	11	5			
Creation of bonds in aid of revenue - - -	5,200	0	0			
Loan to Vancouver island colony repaid - - -	1,000	0	0			
Advances to heads of departments, accounted for (Civil) - - -	19,633	6	1			

MILITARY.	£	s.	d.	£	s.	d.
Her Majesty's Government - - -	20,705	0	0			
Do. on regimental pay account - - -	3,810	0	0			
	24,516	0	0			
Advances to heads of departments, accounted for - - -	5,950	0	0			
Miscellaneous receipts - - -	0	5	0			
Refund (Transport) - - -	2	0	6			

Total - - - £109,628 3 0

Audit Office of British Columbia,
4th September 1861.

ABSTRACTS of the PAYMENTS made during the Year 1860.

CIVIL.	£	s.	d.	£	s.	d.
Establishments. - - -	5,190	7	11			
Salaries, fixed - - -						
Salaries, provisional and temporary - - -	9,179	19	2			
Office contingencies - - -	1,043	19	9			
Allowances - - -	1,018	9	4			
	16,432	16	2			
Revenue services, exclusive of establishments - - -	179	1	7			
Administration of justice, exclusive of establishments - - -	194	1	3			
Charitable allowances - - -	200	0	0			
Police and gaols, exclusive of establishments - - -	792	14	0			
Rent - - -	38	0	0			
Transport - - -	1,263	9	4			
Conveyance of mails - - -	41	3	0			
General expenses, exclusive of establishments - - -	359	4	7			
Miscellaneous services - - -	317	0	10			
Surveys and explorations - - -	1,635	15	8			
Refund - - -	135	0	0			
Roads, streets, and bridges - - -	21,076	16	10			
Works and buildings - - -	3,725	19	0			
Redemption of bonds - - -	780	0	0			

TOTAL COLONIAL CIVIL EXPENDITURE - - -	47,171	2	3			
Loan to Vancouver island colony - - -	1,000	0	0			
Advances to heads of departments (Civil) - - -	20,133	6	1			

MILITARY.	£	s.	d.	£	s.	d.
Colonial pay - - -	11,929	8	2			
Exchange cashing drafts on Paymaster-General - - -	383	2	0			
Provisions and fuel - - -	6,780	12	1			
Works and buildings - - -	1,493	2	5			
Roads, streets, and bridges - - -	22	7	8			
Stores and materials - - -	160	0	10			
Transport - - -	197	5	5			
Office contingencies - - -	2	19	0			

TOTAL COLONIAL MILITARY EXPENDITURE - - -	20,968	17	7			
Advances to heads of departments (Military) - - -	5,950	0	0			
Colonel Moody, R.E., on regimental pay account - - -	3,519	10	3			
Exchange on cashing drafts, on regimental pay account - - -	56	1	7			

Paid on account of Home Government - - -	3,575	11	10			
Balance in hands of treasurer, 31st December 1860 - - -	143	17	10			
	10,685	7	5			

Total - - - £109,628 3 0

(Signed) WILLIAM A. G. YOUNG,
Acting Auditor-General.

No. 23.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(Separate.)

Victoria, Vancouver Island, September 16, 1861.

MY LORD DUKE,

(Received November 2, 1861.)

I HAVE much satisfaction in reporting to your Grace that the Colony of British Columbia continues in a tranquil and progressive state.

2. The Gold Commissioners, in their last monthly reports, represent the continued exodus of the mining population from their respective districts towards the "Cariboo" country; in speaking of which I have adopted the popular and more convenient orthography of the word, though properly it should be written "Caribœuf" or Rein Deer, the country having been so named from its being a favourite haunt of that species of the deer kind.

3. The most extraordinary accounts of the wealth of that gold field are received by every succeeding steamer from British Columbia; and those accounts are confirmed by letters from the merchants and traders of the district, and by fortunate adventurers who have realized, by a few weeks labour, their thousands of dollars. It would in fact appear that Cariboo is at least equal, in point of auriferous wealth, to the best parts of California; and, I believe, the gold deposits of British Columbia will be found to be distributed over a far more extensive space.

4. I am unable to arrive at any satisfactory conclusion as to the average daily earnings of miners in the Cariboo country, but some idea may be formed of the large sums realized, from the fact that 195 ounces of gold were taken in one day out of a single mining claim; while ordinary claims yield as much as forty and fifty dollars a-day to the man; but perhaps the most telling circumstance is the high price of labour, which has attained to the extraordinary sum of ten dollars a-day; and any number of men may find employment at that rate of pay.

IV.

H

No. 23.

BRITISH
COLUMBIA.

5. The Cariboo gold district was discovered by a fine athletic young man of the name of McDonnell, a native of the island of Cape Breton, of mixed French and Scotch descent, combining in his personal appearance and character the courage, activity, and remarkable powers of endurance of both races. His health has suffered from three years constant exposure and privation, which induced him to repair, with his well-earned wealth, to this Colony for medical assistance.

6. His verbal report to me is interesting, and conveys the idea of an almost exhaustless gold field, extending through the quartz and slate formations, in a northerly direction from Cariboo Lake.

7. The following well attested instances of successful mining at Cariboo may prove interesting, and will probably convey to Her Majesty's Government a more precise idea of the value and real character of this gold field than any mere generalizations, and with that object in view, I will lay the details, as received from the persons themselves, before your Grace.

8. John McArthur and Thomas Phillips arrived here from Cariboo on the 17th of August last, with nine thousand (\$9,000) dollars worth of gold dust in their possession, being the fruits of three months residence at the mines. They arrived there on the 1st day of May, and left again on the 1st day of August, having previously sold their mining claim at a high price to other persons. Their largest earnings for one day amounted to five hundred and twenty-five dollars (\$525); and no single day's work yielded less than twenty-five dollars (\$25). Both those persons have been mining in California, and are acquainted with its resources, yet they give it as their opinion that Cariboo, as a "generally paying" country, surpasses the best days of California.

Mr. Patterson and brother arrived at New Westminster by the steamer of the 14th instant, with ten thousand dollars worth of gold dust, the produce of five weeks work at Cariboo. I personally inspected their treasure, of which they are justly proud, being the well-earned reward of their skill and enterprise. Mr. Patterson's mining claim was on the Lowhee, a tributary of Swift River, and about 16 miles distant from Antler Creek. The ground was composed of gravel and many quartz boulders, and the depth to the bed-rock was from 4 to 6 feet, beyond which he did not attempt to penetrate, though the richest deposit of gold was immediately over the bed-rock. The largest day's return from the claim was 73 ounces of gold, worth about twelve hundred dollars (\$1,200); on another occasion he received 70 ounces at the close of a day's work. The gold is in rough jagged pieces, the largest found by Mr. Patterson was over six ounces; but on the next claim to his, a piece of ten ounces was picked up by the lucky proprietor. Mr. Patterson sold his mining claim before his departure from Cariboo, and is now returning to his native country, the United States, with the wealth he has so rapidly acquired in British Columbia, this being one of the evils to which the Colony is exposed through the want of a fixed population.

10. The firm of Messrs. Levi and Boas, of New Westminster, have kindly permitted me to communicate the following extract from a letter, dated 27th August 1861, which they very lately received from Mr. Levi, the managing partner of the firm at Cariboo.

"Hamburger went to Abbott, who used to be at Langley, and borrowed \$2,000. I must let you know that Abbott and Jordon have one of the richest claims in the country. The least they take out a-day, three of them, is 120 ounces. They have a flour sack of gold 14 inches high. They will make, till fall, 100,000 dollars a piece. Out of one little crevice, while Hamburger was up there, he, Abbott, took 60 ounces out of it, and gold makes your eyes water, and you will never see a greater excitement as there will be next season."

* * * * *

"If you can send up such goods as we want, do so: as I will explain to you it is only 5 or 6 weeks more that pack trains can come in here, and then we can get any price for them; besides which, spring, when there is a lot of people rushing in, and we the only ones which have goods. You bet I would soak into them. The country is all right, there is more gold in it as there was in California; don't say nothing to nobody."

11. I will not multiply these details, having said enough to show your Grace the opinion entertained by the public of the newly discovered gold fields, and of the probable influx of population from California and other countries which may be attracted by those discoveries. I need not assure your Grace that every precaution will, in that event, be taken to maintain the peace, order, and good government of the country, and to increase its permanent population: but it is impossible to repress a feeling of profound regret that so few of Her Majesty's British subjects have yet participated in the rich harvests reaped in British Columbia, though there is certainly no country in the world that offers greater inducements to the labouring classes, or for the employment of capital. The settler enjoys the peculiar advantage in British Columbia of an unfettered choice of the public domain; and may, without expense, or official delay, select any part of the Colony he

pleases, as his future home; the ultimate price of country land being in no case over four shillings and twopence an acre, payable by instalments, spread over several years. In fact the system of no country can offer greater inducements to the settler and miner than the land regulations and mining laws of British Columbia.

12. The miners at Cariboo have, I am glad to inform your Grace, suffered no privation whatever from the want of food. Besides the large importations of bread-stuffs and salt meat packed in from Lillooet and Lytton, large droves of cattle have been sent to Antler Creek, where the native grasses are nutritious and abundant; and fresh beef is now selling by retail at 1s. 8d. a pound. A mining town of some note has sprung into existence at Antler's Creek, and supplies of all kinds can be readily purchased.

The traveller who is prepared to encounter famine in its gauntest forms on his arrival at Cariboo, is not a little astonished to find himself in the midst of luxury, sitting down every morning to fresh milk and eggs for breakfast, and to as good a dinner as can be seen in Victoria.

13. The great commercial thoroughfares, leading into the interior of the country, from Hope, Yale and Douglas, are in rapid progress, and now exercise a most beneficial effect on the internal commerce of the Colony. I have many other productive public works, indispensable for the development of the Colony, in view, but I cannot undertake their execution until I am made acquainted with your Grace's decision about the proposed loan of money for British Columbia.

14. There is nothing in the condition of the other districts of the Colony with which I need trouble your Grace at present; though it may be necessary soon to draw your Grace's attention to a reported discovery of gold on Stickeen River, latitude 57° within Her Majesty's territories, north of British Columbia, to which some adventurers, trusting to the faith of the native Indians, who brought the tidings, have inconsiderately repaired.

15. Should the report prove correct, it will be necessary to take steps for the government of the country, and to prevent the many disorders that will naturally arise from the absence of any duly constituted authority.

16. I will not fail to exercise that power, should circumstances require it, until your Grace's instructions are received.

I have, &c.

His Grace the Duke of Newcastle, K.G.
&c. &c. &c.

(Signed) JAMES DOUGLAS.

No. 24.

No. 24.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(Separate.)

Victoria, Vancouver's Island, October 24, 1861.

MY LORD DUKE,

(Received December 9, 1861.)

IN my Despatch of the 16th of September last, marked "Separate,"* it was mentioned that a report had reached this place of deposits of gold having been found on the banks and flats of the Stickeen River, north latitude 57°, to the eastward of the Russian possessions, and within the limits of Her Majesty's territories on this coast; I, therefore deem it proper on this occasion to inform your Grace, that we have had no confirmation of those reports, nor any arrivals from that quarter.

* Page 57.

2. I have also to communicate to your Grace that the accounts from Cariboo are more than ever satisfactory; and the numbers of returning miners with their rapidly acquired stores of gold, and the extraordinary fact, unusual, I believe, in gold countries, that they have all been eminently successful, offer the strongest confirmation of the almost fabulous wealth of that gold-field. I have not, indeed, up to the present time, met with a single unfortunate miner from that quarter. Of those whom I had occasion to interrogate during my recent visit to British Columbia, I ascertained that none who held mining claims had less than 2,000, and that others had cleared as much as 10,000 dollars during their summer's sojourn at the mines. It may, therefore, be fairly assumed, that their individual earnings range at some point between those figures. I should, however, apprise your Grace, that the large strikes of the season, such as the Jourdan and Abbott claim on Lowhee Creek, and Ned Campbell's claim on Lightning Creek, the latter said to have produced 900 ounces of gold in one day, are not included in this category, as I have had no opportunity of seeing the owners of these claims, who are still in the upper country; but I will inquire into and report upon these special cases hereafter.

3. The following extracts from my travelling note book may not be considered irrelevant at this time, when everything connected with the gold-fields, or tending to illustrate the true character of the colony, possesses an absorbing interest.

BRITISH
COLUMBIA.

"Laurent Bijou, a native of France, left Cariboo on the 1st day of August. He resided about one month at the mines, and has acquired 4,500 dollars worth of gold dust;—says, he has not been so fortunate as many others, who are making as much as 1,000 dollars a day. He has mined in California, but never saw a gold-field so rich as Cariboo."

"Joseph Patterson and brother, natives of Maine, United States of America, have been mining on Keithley's Creek, and left it about the 10th of September. They have cleared the sum of 6,000 dollars between them, or 3,000 dollars each, in gold dust, which they carry about with them on their persons. They report that as a general thing the miners are making from two to three ounces a day. They are well acquainted with Jourdan and Abbott's claim, and have often seen them weighing out, at the close of their day's work; the yield on one occasion was within a few grains of 195 ounces, the number of working hands being at the time four in all. That was their largest day's return; but 80, 90, and 100 ounces a day were ordinary returns."

"Richard Willoughby, a native of England, discovered a mining claim on Lowhee Creek, and began to work it on the 27th of July last; he continued mining with from four to seven hired men till the 8th of September, when he sold the claim to another person, and returned safely to Yale, where he now resides, with the sum of 12,000 dollars in gold dust. His largest day's return was 84 ounces, and the entire amount of gold taken, during his tenure, from the claim, amounted to 3,037 ounces, valued at 48,600 dollars, and his own share to the sum of 12,000 dollars. His last week's work netted 2,032 dollars, and for two weeks previously he cleared 1,000 dollars a week for each working hand on the claim; and what is extraordinary, is the fact that all this wealth was found immediately at or within four feet of the surface, the extreme of Mr. Willoughby's sinkings. At that depth he encountered the Bed Rock, composed of soft blue slate yielding readily to the pick. He also mentions the discovery of a highly auriferous quartz reef; and he gave me a specimen of galena, containing, as per assay, 67 per cent. of lead, and 37 ounces of silver to the ton. He also mentioned several rich veins of silver ore, which he saw at Cariboo; but the inferior metals attract scarcely any attention in countries where gold is easily acquired."

"Mr. Hodge, an American, settled near Yale, held a mining claim on Lowhee Creek for about six weeks, and lately returned to Yale with a sum exceeding 2,100 dollars. His reports corroborate and confirm in all respects the statements of Richard Willoughby."

"Thomas Brown, an American citizen, claims the honour of having discovered and taken up the first mining claim on Williams' Creek, just one claim below the Jourdan and Abbott claim. Mr. Brown has been fortunate, and has a heavy pouch of gold, but I did not ascertain its money value. He says, that "Ned Campbell," a friend of his, with a company of ten other miners, selected and recorded a claim on a newly discovered stream, called Lightning Creek, a tributary of Swift River, which yielded about two ounces of gold to the panful of earth; and that a report had reached Quesnelle previous to his departure, that the company, almost as soon as they began to work, had realized 1,100 ounces in one day; and he places the greatest confidence in that report. Mr. Brown's statement on all other points respecting Cariboo corroborates the statements of Mr. Willoughby.

4. I am permitted to use the following letter from Major Downie, an old and successful Californian miner, several of whose reports on mining subjects I have had the honour of forwarding to your Grace; it is addressed to—Macdonald, Esquire, banker and assayer, Victoria, and is dated Antler Creek, 25th September 1861.

"I have just been talking to H. M. Steele; he says, he will do all he can for you with his boys; they are taking it out by the mule-load, so you may depend upon getting lots of dust when the boys come down.

"Your friend Mr. Norris is well, and I am writing this in his house. I am prospecting round to get claims for next season for Alex. and Jim Hood.

"California is nowhere in comparison to Williams Creek.

"Keep good courage, and order a mint for next year."

5. I will now quote a few passages from a private communication of the judge, Mr. Begbie, dated Forks of Quesnelle, 25th September 1861, to the Colonial Secretary. In allusion to the amount of gold dust in the hands of the miners at Cariboo, and the quiet, orderly state of the population, he observes:—"I have no doubt that there is little short of a ton lying at the different Creeks. I hear that Abbott's and Steele's claims are working better than ever—30 to 40 pounds a day each (they reckon rich claims as often by pounds as ounces now; it must be a poor claim that is measured by dollars."

"On many claims the gold is a perfect nuisance, as they have to carry it from their cabins to their claims every morning, and watch it while they work, and carry it back again (sometimes as much as two men can lift) to their cabins at night, and watch it

while they sleep. There is no mistake about the gold. Steele is here; he says, they took out 370 ounces one day.

"I was very glad to see the men so quiet and orderly; old Downie looked really almost agast. He said, 'they told me it was like California in '49; why, you would have seen all these fellows roaring drunk, and pistols and bare knives in every hand. 'I never saw a mining town anything like this.' There were some hundreds in Antler, all sober and quiet. It was Sunday afternoon, only a few of the claims were worked that day. It was as quiet as Victoria."

6. I will lastly submit for your Grace's information the monthly report of Mr. Ball, assistant gold commissioner for the Lytton district, to the Colonial Secretary, dated 1st October 1861, which also bears upon the subject of gold mining, and is otherwise illustrative of the industrial condition of the country:—

"I have the honour to forward for the information of his Excellency the Governor a collectorate account of the revenue of the Lytton district for the month of September.

"The approach of the fall and the little mining going on at present has caused a stagnation of business.

"There are many, however, who are only awaiting the commencement of the proposed waggon roads to locate pre-emption claims, and to make permanent improvements on those already located, with a view of making British Columbia their future home. The rich discoveries made in the Cariboo district, and the proposed line of roads, have established a confidence in the future prospects of the property holders of the Lower Fraser; and all are well pleased with the prospect of the forthcoming season.

"It may be interesting to his Excellency to hear of the almost fabulous amount of gold which was taken out of a claim on Lightning Creek, belonging to a man named 'Ned Campbell.'

" 1st day	-	-	-	900 ounces
2nd day	-	-	-	500 "
3rd day	-	-	-	300 "

and other days proportionally rich."

7. The Gold Commissioner for the Hope district states in his last monthly report, that there was a great deal of activity in the southern mining districts about Kamloops, and that the miners there are doing remarkably well. He also mentions the great want of mining supplies, especially flour, of which article not a single pound could, at the time, be purchased; a circumstance which he much regrets on account of its baneful effects on the country.

8. The reports of the other Gold Commissioners contain nothing of unusual interest.

9. The information which I have thus laid before your Grace leaves no room for doubt as to the vast auriferous wealth, and extraordinary productive capabilities of British Columbia; and with scarcely less probability it may be assumed as a natural consequence resulting from the marvellous discoveries at Cariboo, that there will be a rush thither and an enormous increase of population in spring.

10. To provide for the wants of that population becomes one of the paramount duties of Government. I, therefore, propose to push on rapidly with the formation of roads during the coming winter, in order to have the great thoroughfares leading to the remotest mines, now upwards of 500 miles from the sea coast, so improved as to render travel easy, and to reduce the cost of transport, thereby securing the whole trade of the colony for Fraser's River, and defeating all attempts at competition from Oregon.

11. The only insuperable difficulty which I experience is the want of funds:—The revenues of the colony will doubtless, in course of the year, furnish the means, but cannot supply the funds that are immediately wanted to carry on these works.

12. I propose, as soon as those roads are finished, and the cost of transport reduced, to impose an additional road tax as a further means of revenue, a generally popular measure and strongly recommended in the several petitions forwarded with my Despatch "Separate" of the 8th of October instant. I, indeed, acknowledge with gratitude the warm support which I have lately received from the people at large in carrying out measures of development; a significant fact, showing that their feelings and interests are becoming every day more identified with the progress of the colony.

13. I have in these circumstances come to the resolution of meeting the contingency, and raising the necessary funds, by effecting a loan of 15,000*l.* or 20,000*l.* in this country, which will probably be a sufficient sum to meet the demands upon the Treasury on account of these works, until I receive the loan which your Grace gave me hopes of effecting for the colony in England.

14. In taking this decided step, I feel that I am assuming an unusual degree of responsibility; but I trust the urgency of the case will justify the means, and plead my apology with Her Majesty's Government, especially as it is so clearly for the honour and advantage of Her Majesty's service; and the neglect of the measures, which by a stern

BRITISH
COLUMBIA.

necessity are thus forced upon me, might prove in the highest degree disastrous to the best interests of the colony.

15. Accustomed to exact obedience within my own official sphere, I know the importance of the rule; but this is one of those exceptional cases which can hardly serve as a precedent,—and as I have always paid implicit attention to instructions, and in no case involved Her Majesty's Government in any dilemma, I trust your Grace will continue to place that degree of confidence in my prudence and discretion which heretofore it has always been my good fortune to experience.

16. I beg to enclose a rough sketch of the Cariboo country, showing its relative position with reference to Arrowsmith's map of North America.*

His Grace the Duke of Newcastle, K.G., I have, &c.
&c. &c. &c. (Signed) JAMES DOUGLAS.

No. 25.

No. 25. COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of NEWCASTLE, K.G.

(No. 67.) Victoria, Vancouver Island, November 14, 1861.
MY LORD DUKE, (Received January 13, 1862.)

MUCH inconvenience and loss have, ever since the formation of these Colonies, been occasioned by the want of a circulating medium of fixed and recognized value, equal to the business demands of the country. The scarcity of coin has been so great, and gold dust not being received for duties, that importers of goods have found it difficult at all times to make their Custom House payments, and, as is well known, are frequently compelled to borrow money for that purpose at exorbitant rates of interest, varying from two per cent. per month and upwards. Almost all the business of the country is transacted in gold dust of uncertain value, and it is easy to conceive the difficulty and inconvenience of adjusting payments by such means, when the holder and receiver are both alike subject to loss, and fearful of imposition.

2. The effects of an over restricted monetary circulation are now, however, operating so fatally in both Colonies that it is indispensable to devise a remedy for an evil that is sapping the very foundations of our prosperity. To illustrate this fact, I would inform your Grace that at this moment there is an amount of gold dust in the hands of miners from Cariboo, residing at Victoria, exceeding one quarter of a million sterling; and so great is the present dearth of coin that it brings a premium of five per cent. and over when procurable, which is not generally the case, as men may be seen hawking bars of gold about the streets of Victoria, who cannot raise coin enough, even at the high rates of discount just mentioned, to defray their current expenses. The miners and other holders of gold dust are naturally incensed and refuse to submit to this depreciation on the value of their property, when they know it can be converted into coin for the moderate charge of one-half of one per cent. at the United States Branch Mint in San Francisco; making an important saving to them of $4\frac{1}{2}$ per cent. They are consequently leaving Victoria by every opportunity; and it is most painful to witness a state of things which is rapidly driving population and capital from the country.

3. It has been suggested that an issue of notes of varying values, guaranteed by the Government and payable on demand at the public Treasury would, by providing a cheap and simple medium of exchange, meet the evil; but independently of the general objections to a paper currency, its effect in banishing the precious metals, in producing unhealthy inflation and rash speculation, and the fluctuation in the value of the circulating medium, it appears to me that the ramifications of business are not extensive enough to retain the notes in circulation; they would therefore simply return to the Treasury, and soon exceed our means of payment.

4. This I conceive would be the inevitable result of an issue of paper in the present condition of the Colony, unless the notes were made a legal tender, a measure which I am not prepared to recommend.

5. As a safer remedy and one more suitable to the actual circumstances of the Colonies, I propose to take immediate steps for the manufacture of gold pieces, equal in value to the 10 and 20 dollar American coins, and to bring them into general use as a circulating medium in both Colonies.

This plan does not contemplate refining the gold, as the expense would be greatly increased by that process: it is merely proposed to bring it to a uniform standard of fineness, without separating the natural alloy of silver which to some extent exists in all the gold of British Columbia.

The pieces will be prepared at the Government Assay Office, and will bear the stamp

* The additional information contained in this sketch has been incorporated in the map at page 54.

of unquestionable character; and I am of opinion that by making the gold contained in them of the full current value of the piece, without taking the silver into account, which I propose should go as a bonus, they will not only answer as a cheap and convenient currency within the Colonies, but also have the same exchange value when exported to other countries.

6. It appears from experiments made by Mr. Davidson, a gentleman of large business experience, and agent for the Rothschilds at San Francisco, that the average fineness of Californian gold in its natural state ranges between 880 and 885, that is to say, in valuing the samples brought to him for sale, his calculations have been always based on those figures, and have never proved defective. This shows that some simple process for roughly determining the value of Fraser River gold may also be arrived at; and that knowledge will facilitate its reduction, within 10 or 20 thousandths, to a uniform degree of fineness, in order that the pieces representing the same value may not vary in weight.

7. All the machinery required for this purpose may be procured at San Francisco for the moderate sum of five hundred pounds, and without materially adding to the expense of the present Assay Establishment. Mr. Claudet thinks it will be in his power to manufacture all the pieces wanted for the circulation of the country.

8. I have submitted this plan for the consideration of the principal banking and commercial houses of Victoria, with the object of obtaining their views as to the probable effects of the proposed currency on the general business of the country, and more especially as to its exchange value when exported to pay for supplies: the single point which I think admits of any question, for in that case it would probably be treated as simple bullion.

9. It was clearly proved by the statements of those gentlemen, that the actual cost of importing coin from other countries is rather over 5 per cent., which they believe to be the actual cost of our present metallic currency. Not having had sufficient time for consideration they were not, however, prepared to give a decided opinion on the general measure, but they admitted that it would establish the value of the gold produced in British Columbia in the cheapest manner, and provide a metallic currency for the country at a cost of 4 per cent. less than is paid for imported coin, and offered no objections either to the plan or the basis of the proposed currency.

10. If the principal banking and mercantile houses agree among themselves to receive this currency as a legal tender, no difficulty will be experienced in carrying the measure into effect; and no reason exists why it should not receive their hearty support, as it will surely tend to their advantage, not only by the saving, as before shown, of 4 per cent. on the cost of importing coin, and the complete removal of the cause which is draining the country of wealth and population, but also in the numberless other ways by which the investment of capital serves to promote the general prosperity.

11. I will only further remark that considering the great importance of the object in view, and the advantages expected from the operation of this simple and inexpensive plan of providing a metallic currency of character unsuspected and intrinsically equivalent to its stamped value, and therefore not subject to depreciation nor open to the objections which may be urged against a paper currency, I can hardly doubt that Her Majesty's Government will in these circumstances withhold their approval, or object to my declaring it a legal tender, and causing it to be received at all the public offices within the Colonies in payment of duties and taxes; especially as there is no prospect of this currency being replaced by any preferable circulating medium until the produce of gold, by its abundance, renders the establishment of a branch of the Royal Mint in British Columbia a public necessity.

I have, &c.

His Grace the Duke of Newcastle, K.G.,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

No. 26.

No. 26.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE, K.G.

(No. 74.)

Victoria, Vancouver Island, November 30, 1861.

MY LORD DUKE,

(Received February 3, 1862.)

I HAVE the honour to forward herewith the estimates of the civil expenditure of the Colony of British Columbia for the year ending 31st December 1862, framed as closely in accordance with rule as is practicable under the existing circumstances of the Colony.

2. I have so fully placed before your Grace in other Despatches the exact present condition of the Colony, the recent discoveries of immense, auriferous wealth in the newly opened district of Cariboo, the almost certain large increase to the population in

BRITISH
COLUMBIA.

consequence, and the general confidence established in the richness and future of the country, that it is not necessary I should revert to the subject here, further than to remark that I trust these circumstances will have their weight with your Grace in leaving me free, as heretofore, to devote the whole revenue of the Colony, after deducting the ordinary expenditure, to the important object of opening up the communications with the distant gold fields, so as to cheapen the transport of provisions—a matter which just now demands all our energies, and absorbs all my attention.

3. The large tract of country embraced in these new gold fields will cause a heavy increase in the civil expenditure in providing for adequate magisterial supervision. Such, however, is indispensable to the order and good government of the country, and I have consequently made provision for the same in the estimates.

* Page 51.

4. In my Despatch of the 16th July last, "Separate," * I mentioned that I had found it necessary to establish a gold escort. In the accompanying estimates provision is consequently made for its maintenance during the year 1862; but as, from the great distance it has to travel, and the nature of the country, it has proved very costly, I propose to abandon the scheme for the present, if I can carry out one part of it, viz., that of periodically strengthening the hands of the magistrates in distant localities, in some equally efficient but less expensive manner.

5. I have also, at the earnest solicitation of some of the subordinate officers in the different departments, made a slight increase to their salaries. The additional charge upon the revenue caused thereby will be comparatively insignificant, some 600*l.* only, and in the end will, I believe, be fully repaid; for the consideration thus shown may, I trust, render the present incumbents contented with their position amidst the many instances before them of suddenly acquired wealth, and will consequently secure to the Government the continuance of their services now that they have, as it were, become remunerative by possessing a knowledge of their particular duties. With scarce an exception, none had any previous experience of public business, and all had to be carefully trained; and here we have no field to select from to fill vacancies with qualified men.

6. With the foregoing exceptions the estimates do not differ materially from those submitted for the present year, and I trust that they may meet with your Grace's concurrence and approval.

I have, &c.

His Grace the Duke of Newcastle, K.G.,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

COLONIAL ESTIMATES, BRITISH COLUMBIA.

ABSTRACT of the probable REVENUE of the COLONIAL GOVERNMENT of BRITISH COLUMBIA for the Year 1862; showing also the REVENUE (Approximate) for 1861.

Heads of Revenue.	Estimated Revenue from 1st January to 31st December 1862.			Revenue (Approximate) for the year 1861.		
	£	s.	d.	£	s.	d.
1. Customs.	50,000	0	0	41,177	0	0
Duties - - -	6,000	0	0			
Tonnage dues - -	750	0	0			
Harbour dues - -	2,000	0	0			
Head money - - -	100	0	0			
Inland navigation licences -	30	0	0	6,676	0	0
Warehouse fees, &c. -	100	0	0			
Seizures - - -	10,000	0	0			
Roads tolls - - -	900	0	0			
Excise duties - - -	7,000	0	0			
2. Land sales - - -	500	0	0	2,748	0	0
3. Land Revenue - - -	5,000	0	0			
4. Free miners' certificates -	1,500	0	0			
5. Mining receipts, general -	1,800	0	0			
6. Licences, wine and spirit -	1,900	0	0			
7. Ditto, trading - - -	150	0	0	506	0	0
8. Postal - - -	500	0	0			
9. Fines, forfeitures, and fees -	500	0	0			
10. Assay fees - - -	1,000	0	0			
11. Rents, exclusive of land -	100	0	0			
12. Miscellaneous receipts - -	1,000	0	0	3,000	0	0
13. Gold escort - - -	400	0	0			
14. Registration of deeds -	-	-	-			
Creation of bonds - - -	-	-	-			
Balance from 1860 - - -	-	-	-			
Probable deficit - - -	-	-	-	2,316	0	0
	£90,080	0	0	£79,369	0	0

WILLIAM A. G. YOUNG,
Acting Auditor.Audit Office of British Columbia,
28th November 1861.

ABSTRACT of the probable EXPENDITURE of the COLONIAL GOVERNMENT of BRITISH COLUMBIA, for the Year 1862; showing also the EXPENDITURE (Approximate) for 1861.

Heads of Expenditure.	Estimates for the year 1862.			Expenditure (Approximate) for the year 1861.		
	£	s.	d.	£	s.	d.
1. Establishments.	14,476	0	0	15,300	0	0
Salaries, fixed - -	13,454	0	0			
Salaries, unfixed - -	1,000	10	0			
Allowances - - -	2,510	0	0			
Office contingencies -	200	0	0			
2. Revenue services, exclusive of establishments - - -	1,900	0	0	3,000	0	0
3. Administration of Justice, exclusive of establishments -	700	0	0			
4. Charitable allowances - -	4,980	0	0			
5. Police and gaols, exclusive of establishments - - -	216	0	0			
6. Rent - - -	7,815	0	0			
7. Transport - - -	1,500	0	0	3,500	0	0
8. Conveyance of mails - -	7,500	0	0			
9. Works and buildings - -	31,749	19	9			
10. Roads, streets, and bridges -	600	0	0			
11. Miscellaneous services - -	1,650	0	0			
12. Redemption of bonds - -	128	10	3	1,350	0	0
13. Interest - - -	800	0	0			
14. Lighthouses - - -						
	£90,080	0	0	£79,369	0	0

JAMES DOUGLAS.

COLONIAL ESTIMATES, BRITISH COLUMBIA.
SUMMARY OF THE DETAILED ESTIMATES, showing the charge by DEPARTMENTS of the COLONIAL GOVERNMENT for the Year 1862.

EXCLUSIVE OF ESTABLISHMENTS.

ESTABLISHMENTS.

Departments.	Salaries.		Allowances.		Office Contingencies.	Total of Establishments.		Revenue Services.	Administration of Justice.	Charitable Allowances.	Police and Gaols.	Rent.	Transport.	Conveyance of Mails.	Works and Buildings.	Roads, Streets, and Bridges.	Miscellaneous Services.	Redemption of Bonds.	Interest.	Lighthouses.	Total.
	Fixed.	Unfixed.	£	s. d.		£	s. d.														
1. Governor	1,550	-	-	-	-	1,550	0 0	-	-	-	-	120	1,000	£	3,000	-	400	-	-	£	6,070 0 0
2. Colonial Secretary	1,730	150	-	-	450	2,180	0 0	-	-	-	-	-	50	-	-	-	100	-	-	-	2,450 0 0
3. Treasurer	1,870	150	-	-	100	2,120	0 0	-	-	-	-	-	100	-	150	-	80	-	-	-	2,450 0 0
4. Auditor General	500	150	-	-	30	680	0 0	-	-	-	-	-	30	-	-	-	-	-	-	-	710 0 0
5. Assay and Refinery Office	1,650	-	-	-	420	2,070	0 0	-	-	-	-	-	50	-	50	-	-	-	-	-	2,170 0 0
6. Lands and Works	-	-	-	-	200	200	0 0	-	-	-	-	-	-	-	-	31,749 19 9	-	-	-	-	31,949 19 9
7. Customs and Revenue.	1,514	1,492	-	-	110	3,136	0 0	-	-	-	-	-	100	-	50	-	-	-	-	-	3,286 0 0
8. Customs branch - Revenue branch	250	696	-	-	-	1,204	10 0	200	-	-	-	-	-	-	50	-	-	-	-	-	1,454 10 0
9. Gold Escort	-	1,110	-	-	50	1,460	0 0	-	-	-	-	-	5,000	-	50	-	-	-	-	-	6,460 0 0
10. Registrar General	-	80	-	-	100	900	0 0	-	-	-	-	-	100	-	50	-	-	-	-	-	1,050 0 0
11. Post Office	432	-	-	-	100	522	0 0	-	-	-	-	-	-	-	1,500	-	-	-	-	-	2,022 0 0
11. Harbour Master	400	132	-	-	20	552	0 0	-	-	-	-	-	75	-	700	-	-	-	-	-	1,327 0 0
Administration of Justice.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12. Supreme Court	1,100	-	-	-	50	1,150	0 0	-	1,100	-	-	-	-	-	-	-	-	-	-	-	2,250 0 0
13. Attorney General	700	-	-	-	50	750	0 0	-	200	-	-	-	-	-	-	-	-	-	-	-	950 0 0
Police and Gaols.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
14. At New Westminster	650	782	-	-	50	1,482	0 0	-	-	-	1,030	-	-	-	200	-	-	-	-	-	2,762 0 0
15. Douglas	90	384	-	-	40	724	0 0	-	-	-	350	-	20	-	50	-	-	-	-	-	1,144 0 0
16. Hope	300	452	-	-	40	844	0 0	-	-	-	250	-	50	-	50	-	-	-	-	-	1,164 0 0
17. Rock Creek	400	1,018	-	-	100	1,508	0 0	-	-	-	250	-	50	-	50	-	-	-	-	-	1,858 0 0
18. Yale	350	634	-	-	100	1,084	0 0	-	-	-	350	-	50	-	50	-	20	-	-	-	1,554 0 0
19. Lytton	400	432	-	-	50	882	0 0	-	-	-	800	-	50	-	50	-	-	-	-	-	1,882 0 0
20. Lillooet	400	432	-	-	50	882	0 0	-	-	-	550	-	20	-	50	-	-	-	-	-	2,048 0 0
21. Cariboo	-	4,740	-	-	300	5,240	0 0	-	-	-	1,300	-	200	-	2,500	-	-	-	-	-	9,340 0 0
Inspector of Steam Vessels	-	-	-	-	-	-	-	-	-	-	-	-	400	-	-	-	-	-	-	-	400 0 0
23. Redemption of Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,650	-	-	1,650 0 0
24. Interest	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	128 10 3	-	128 10 3
25. Char table Allowances	-	-	-	-	-	-	-	-	-	700	-	-	-	-	-	-	-	-	-	-	700 0 0
26. Lighthouses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	800	800 0 0
	14,476	13,454	1,003 10 0	2,510	31,440 10 0	200	1,300	700	4,930	216	7,515	1,530	7,535	1,530	7,530	31,749 19 9	600	1,650	128 10 3	800	90,030 0 0

William A. G. Young, Acting Auditor.

BRITISH
COLUMBIA.

Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Governor
DOUGLAS, C.B.

(No. 26.)

SIR,

Downing Street, May 19, 1860.

* Page 1.

I HAVE to acknowledge the receipt of your Despatch, No. 24,* of the 17th of February last, on the subject of the grant of endowments in land to the clergymen of the principal Christian communities established in British Columbia.

I approve of the grants of about one acre each which you have already made to the clergy of the Church of England and the Methodist Episcopal Church as sites for a church, school, and dwelling-house, and you will also be at liberty to make similar grants in all towns in the Colony where ordained ministers of the Gospel may take up their residence, and where congregations may be established and require their assistance; but care should be taken that the land shall be appropriated to the purposes for which it was intended, and that it shall be so conveyed as to be secure against the possibility of misapplication in future years.

Your further proposal, that free grants of 100 acres of rural land should be made in aid of every cure established in British Columbia, and not otherwise supported at the public expense, I consider to be open to serious objections.

The experience afforded by other Colonies tends to show that where a clergyman in a new Colony has to depend on his land for his principal means of subsistence, he must, to make it answer, devote to it so much of his time as seriously to interfere with his usefulness; unless he does this, the endowment becomes only an apparent, not a real provision for him. He cannot let it, because land in a new settlement is never, except under very peculiar circumstances, taken on lease, and to employ hired labour would generally be beyond the means of a clergyman so situated.

For these reasons I am unable to sanction the measure which you propose. The practice of making grants of land as endowments to livings in the Colonies has been generally discontinued for many years, and I much doubt whether it is not better for a clergyman to depend entirely on the liberality of his congregation than to be provided with an endowment which, though no substantial assistance to him, may be an excuse to such of his congregation as are disposed to withhold their aid.

Governor Douglas, C.B.
&c. &c.

I am, &c.
(Signed) NEWCASTLE.

No. 2.

No. 2.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Governor
DOUGLAS, C.B.

(No. 27.)

SIR,

Downing Street, May 25, 1860.

† Page 2.

I HAVE to acknowledge the receipt of your Despatch, No. 25,† of the 18th of February last, enclosing copies of a correspondence between Mr. Cridge, the District Minister of Victoria, and Mr. Duncan, relative to the formation of a settlement for Indian converts to Christianity, and in order to carry this plan into effect you propose to reserve several hundred acres of land in the neighbourhood of Fort Simpson.

Subject to the stipulations which you suggest, namely, that the land should be conveyed to the Governor of the Colony for the time being, in trust for the use and benefit of the Indians, leaving them no power to alienate or dispose of it, I have to authorize you to take the necessary steps for the conveyance of the lands in question.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 3.

BRITISH
COLUMBIA.
No. 3.COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Governor
DOUGLAS, C.B.

(No. 36.)

SIR,

Downing Street, June 26, 1860.

I HAVE received and read with interest your Despatch, No. 42,* of the 23rd of April, containing a general report on the Colony of British Columbia, and on the progress which has been made in opening up the country. * Page 4.

I do not doubt that you cannot apply your attention to an object more important to the Colony than the improvement of its internal communications.

I have, &c.

Governor Douglas, C.B.
&c. &c.

(Signed) NEWCASTLE.

No. 4.

o. 4.

COPY of DESPATCH from the SECRETARY OF STATE to Governor DOUGLAS, C.B.

(No. 42.)

SIR,

Downing Street, July 19, 1860.

I HAVE received, and have perused with much interest, your Despatch of the 23rd May,† reporting the result of your observations during a late visit to British Columbia. † Page 6.
There is no subject of greater importance to a new Colony than the establishment of well considered regulations for the disposal of the public lands. I trust, therefore, that with the aid of your personal examination of the country, and of the extensive correspondence in which you have been engaged with Her Majesty's Government, you will soon be enabled to communicate to me those full and matured views on this subject which your Despatch encourages me to expect.

The sketch you have sent of the municipal institutions proposed for New Westminster seem very promising, and I am glad to infer that the town is ready to accept them, which is not always the case in a young Colony.

I have, &c.

Governor Douglas, C.B.
&c. &c.

(Signed) G. C. LEWIS.

No. 5.

No. 5.

COPY of DESPATCH from C. FORTESCUE, Esq., M.P., to Governor DOUGLAS, C.B.

(No. 56.)

SIR,

Downing Street, October 26, 1860.

I AM directed by the Secretary of State to acknowledge your Despatch, No. 72,‡ of the 4th August last, respecting certain grants of land which you were desirous of making to the clergy of the four principal denominations of Christians in British Columbia, *i.e.*, of the English, Roman, Presbyterian, and Methodist Churches. ‡ Page 14.

For the reasons already communicated to you, the Secretary of State cannot sanction the grants of rural land which you still apparently advocate, but he sees no objection to your affording a temporary pecuniary assistance to Ministers of Religion in British Columbia from Colonial funds, if those funds are adequate for the purpose, and if you have sufficient reason for believing that such an appropriation of public money will not be unacceptable to the colonists.

Charged as you are with the task of expending, on your own responsibility, the produce of the taxes, it is peculiarly necessary for you to avoid the appearance of individual preference or partiality. I think therefore that the public aid given to Ministers of Religion should not be confined to any specified denominations, but should, if possible, be determined by a generally intelligible rule, which, while furnishing some security against useless or improper appropriations, will not suggest any distinction between ministers of different persuasions, who may be exerting themselves with equal earnestness for the good of the community. It might be required, for example, as a condition to any grant of money, that a memorial should be presented to the Governor, signed by a certain number or proportion of persons resident within a certain district, and either offering to meet the Government grant by certain immediate or annual contributions of their own, or stating that from some source or other such contributions had been made. This, however, is merely suggested by the Secretary of State as an illustration. He is fully aware that your own knowledge of the exigencies of the Colony, of the temper and wishes of the population, and of the assistance to be derived there from religious

BRITISH
COLUMBIA.

persons or societies, will enable you to choose your own course in a matter of detail more appropriately than he can do.

But in any case you will take care to make it clearly understood that any assistance of this kind is temporary, and that if given in the form of an annual payment, all those who receive it must not calculate on retaining it after it has ceased to be sanctioned by the public opinion of the Colony, and consistent with other demands on the revenue.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) C. FORTESCUE.

No. 6.

No. 6.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor DOUGLAS, C.B.

(No. 66.)

SIR,

Downing Street, February 1, 1861.

*Pages 22 & 27.
† Page 32.

I HAVE to acknowledge the receipt of your Despatches, marked "Separate," of the 9th* and the 25th* of October last, giving an account of your recent journey through British Columbia. I have also received your Despatch, No. 95,† of the 9th of November, inclosing a report by Dr. Forbes, of H.M. ship "Topaze," of the proceedings of the exploring party under his charge.

I have perused these reports with much satisfaction, as containing interesting information on the advance the Colony has made, and as showing, so far as can at present be ascertained, the agricultural and mineral resources of the country.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 7.

No. 7.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor DOUGLAS, C.B.

(No. 74.)

SIR,

Downing Street, April 13, 1861.

† Page 43.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 7,† of the 26th of January, transmitting an approximate statement of the revenue and expenditure of British Columbia. I am glad to receive so favourable an account of the progress of the revenue of the Colony.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 8.

No. 8.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor DOUGLAS, C.B.

(No. 77.)

SIR,

Downing Street, May 9, 1861.

I HAVE the honour to transmit to you, herewith, the copy of a Memorandum on the subject of the protection of the Salmon Fisheries of British Columbia, which has been submitted to me by Mr. Ffennell, a member of a late Fishery Commission in this country. I also enclose copies of a subsequent correspondence with that gentleman, and I have to invite your attention to a subject which will probably, ere long, become one of some importance to the Colony. I have requested the Governor of Canada to forward to you the official documents bearing upon the matter mentioned in Mr. Ffennell's letter of the 19th April, and in the meantime I enclose a report of the British Commissioners, which may probably afford you information that will be useful to you in legislating on the Fisheries of British Columbia.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Enclosure 1 in No. 8.

MEMORANDUM ON SALMON FISHERY, BRITISH COLUMBIA.

BRITISH
COLUMBIA.

It is suggested that the Salmon Fisheries should be placed under supervision as well as the land, to give security to private enterprise, and to prevent confusion of rights and waste, and that an area of water producing salmon is likely, as civilization progresses and commerce extends, to become more valuable by one hundred fold and more, than the same area of land.

That the first step towards promoting the objects referred to should be the employment of a person of practical knowledge to review the rivers to an extent sufficient to enable him to report upon their capabilities, and to point out the steps which should be taken to prevent abuses before they have set in, and to suggest the modes by which a system of healthy enterprise may be promoted in the Colony.

By adopting this course many persons from this country might soon be induced to embark in the salmon fishery of British Columbia, by receiving information which they would rely upon, if communicated on the authority of a person of practical knowledge, while at present they can only obtain fragments of information derived from persons in the Colony, whose attention has been attracted to the question by the immense quantities of fish which they see exist, and which a few have communicated, but are unable to offer any opinion upon the practicability of embarking in such an enterprise. The quantity of salmon which at present exist in British Columbia, and the extent of rivers producing them, is so far beyond anything which the waters of Great Britain and Ireland ever produced or could produce, that no idea can be formed at present of their relative value.

The salmon fisheries of that Colony appear to be one of the resources of the country, which might be most readily brought into commercial development if measures were taken to promote it.

Those fisheries are in their present state natural and unimpaired, but as population increases, abuses are certain to follow, as in Canada for instance, where the Government are now obliged to take up the question, and appoint officers to check the evil; whereas if timely measures be taken to prevent encroachments and destruction, much ultimate loss to the country may be prevented.

The Government now possess those fisheries; no real or assumed vested rights by individuals have been established, and it is suggested that now is the proper time to place them under the protection of the State, and that they may be soon profitably disposed of under judicious regulations to enterprising individuals, and thus bring a large revenue into the country, affording increased capital for further and more general operations of industry.

(By W. J. FFENNELL, Esq., Fishery Commissioner, Ireland.)

Enclosure 2 in No. 8.

SIR,

Downing Street, March 27, 1861.

Encl. 2 in
No. 8.

THE Duke of Newcastle desires me to thank you for the Memorandum which you have been good enough to furnish him on the subject of the protection of the salmon fisheries in the rivers of British Columbia.

His Grace is fully aware of the importance of the object which you propose, and he is prepared to instruct the Governor to take steps for the proper preservation of these fisheries, but before doing so he would be glad to be furnished with the titles of any public documents with which it might be desirable to supply him for his assistance in carrying out the object in view.

W. J. Ffennell, Esq.

I am, &c.
(Signed) C. FORTESCUE.

Enclosure 3 in No. 8.

SIR,

2, Craven Street, Strand, London, April 19, 1861.

Encl. 3 in
No. 8.

YOUR letter of the 27th of March addressed to me here, with reference to the Fisheries of British Columbia, was not duly forwarded, I have been back and forward to Ireland, and thus the delay in replying to it has occurred.

I would beg to refer to the following documents for the information of his Grace the Duke of Newcastle:—

Fishery Acts, Upper and Lower Canada, printed in Quebec by Queen's Printer.

Report of Commissioners of Crown Lands of Canada for 1857.

Report of Commissioners of Crown Lands of Canada for 1858.

Report of Commissioners of Crown Lands of Canada for 1859.

[I have not yet seen Report, 1860.]

These reports contain much valuable information with respect to the laws enacted for the protection of the fisheries of Canada, the state the fisheries had fallen into, and the means now in operation for their regulation.

I believe the salmon fisheries of British Columbia far exceed in extent and capabilities those of Canada, and that it would be highly expedient to place them under a system of State regulation before abuses creep in, with the view of inducing private enterprise embarking in their commercial development, and at the same time guarding against the establishment of abuses and improvident practices, which must tend ultimately to diminish materially if not totally to destroy a great natural source of wealth.

The state of the Canadian salmon fisheries appears to furnish an example fully supporting this view of the question.

C. Fortescue, Esq., M.P.
&c. &c.I am, &c.
(Signed) WILLIAM J. FFENNELL.

APPENDIX.

PROCLAMATIONS HAVING THE FORCE OF LAW.

App. No. 1.

APPENDIX No. 1.

BRITISH COLUMBIA.—No. 23.

PROCLAMATION by his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice-Admiral of the same.

WHEREAS, under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled "An Act to provide for the Government of British Columbia," and by a commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said colony, and have been authorized by proclamation under the public seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same.

And whereas it is expedient in some respects to alter the rates of duties of customs now leviable upon goods and other articles and things imported into British Columbia, and to make further provision for the levying thereof.

Now, therefore, I do hereby declare, proclaim, and enact as follows, viz. :—

1st. That so much of the proclamation dated the 2nd of June one thousand eight hundred and fifty-nine as imposes a duty upon the several articles specified in the schedule hereto, shall as to the duty thereby imposed be repealed from the 15th day of October next.

2nd. That the duties specified in the said schedule shall be paid on the articles thereon specified from the said 15th day of October next.

3rd. This proclamation may on all occasions be cited as the "Customs Amendment Act, 1860."

Issued under the public seal of the said Colony, at Victoria, Vancouver Island, this
(L.S.) twentieth day of August, one thousand eight hundred and sixty, in the twenty-fourth year of Her Majesty's reign, by me,

By his Excellency's command,

JAMES DOUGLAS.

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

				SCHEDULE.						
				£	s.	d.				
Flour -	-	per barrel		0	3	1½	Ale and Porter in			
Bacon, Salt and Dried							Wood -	per gallon	0	0 7
Pork -	-	per lb.		0	0	1	Wine in Wood an			
Beans -	-	per 100 lb.		0	1	3	Bottle -	per gallon	0	2 1
Barley -	-	per 100 lb.		0	1	3	Bitters -	per gallon	0	2 1
Butter -	-	per lb.		0	0	2½	Blankets -	per pair	0	2 1
Candles -	-	per lb.		0	0	2½	Cheese -	per lb.	0	0 2½
Lard -	-	per lb.		0	0	1	Opium -	per lb.	0	2 1
Rice -	-	per 100 lb.		0	3	1½	Dried Fish -	per lb.	0	0 1
Tea -	-	per lb.		0	0	2½	Salt Fish -	per lb.	0	0 0½
Coffee -	-	per lb.		0	0	1½	Chinese Medicated			
Sugar -	-	per lb.		0	0	1	Wine -	per gallon	0	3 1½
Ale and Porter in							Dried " Vegetables			
Bottle -	-	per dozen		0	1	8	(Chinese) -	per lb.	0	0 1
							Salt Vegetables (do.)	per lb.	0	0 0½

GOD SAVE THE QUEEN.

App. No. 2.

APPENDIX No. 2.

BRITISH COLUMBIA.—No. 29.

PROCLAMATION by his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies.

WHEREAS, under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the Government of British Columbia," and by a commission under the Great

Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by proclamation, under the public seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas the port of New Westminster is the only port of entry for goods in British Columbia—

And whereas many persons have imported goods into British Columbia across the southern boundary thereof, contrary to law:

And whereas it is expedient that all persons importing goods into British Columbia across the said boundary should be notified that such importation is contrary to law, and can be permitted only pending the completion of the communications in British Columbia:

And whereas the collection of the customs duties is rendered very expensive by the importation of goods across the southern boundary aforesaid, and it is expedient to impose a fine on such importation, to meet the additional cost of collection:

Now these are to give notice—

1. That no goods, wares, animals, or merchandize shall be imported into British Columbia which shall not have been entered at New Westminster aforesaid, unless the duties, tolls, and fines herein-after specified shall have been first paid to some duly-qualified officer of customs, and such officer shall have first granted to the importer a permit on behalf of such goods.

2. The duties and tolls aforesaid shall be as follows:—

A. The duties at present imposed by virtue of the proclamations of the second day of June, one thousand eight hundred and fifty-nine, and the twentieth day of August, one thousand eight hundred and sixty.

B. For every fifty pounds weight avoirdupois of such goods, wares, or merchandize (and so in proportion for a greater or less quantity than fifty pounds weight of goods), one shilling; miners' packs, carried by the owners and not exceeding thirty pounds weight avoirdupois, for each man's load, being exempt from such duty as aforesaid.

C. For every ton of such goods, wares, or merchandize, twelve shillings.

3. In addition to the aforesaid duties and tolls, a fine equivalent to three per cent. on the market value of such goods, wares, animals, or merchandize shall be paid to such officer of customs—such market value to be calculated upon the market value of the goods, wares, animals, or merchandize at the place of collection.

4. Any person wilfully evading or attempting to evade the payment of any of the duties, tolls, or fines, aforesaid, shall be fined treble the amount of the duties, tolls, or fines, or any sum not exceeding one hundred pounds, at the discretion of the magistrate.

5. Any penalty under this Act may be recovered and enforced before any magistrate in British Columbia in a summary way.

6. This proclamation may be cited as the "Southern Boundary Act, 1860."

(L.S.) Issued under the public seal of the said Colony at Victoria, Vancouver Island, this twenty-second day of December, in the year of our Lord one thousand eight hundred and sixty, and in the twenty-fourth year of Her Majesty's reign, by me,

By his Excellency's command,

JAMES DOUGLAS.

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

GOD SAVE THE QUEEN.

APPENDIX No. 3.

App. No. 3.

BRITISH COLUMBIA.—No. 30.

PROCLAMATION.—No. 2, A.D. 1861. By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

WHEREAS, under and by virtue of an Act of Parliament made and passed in the session of Parliament, held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled "An Act to provide for the Government of British Columbia," and by a commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the public seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same.

And whereas, by a Proclamation issued under the public seal of the said Colony, on the 4th day of January 1860, the price of unsurveyed land acquired by purchase or pre-emption under the provisions of the said Proclamation, was stated to be at such rate as might for the time being be fixed by the Government of British Columbia, not exceeding the sum of ten shillings per acre.

And whereas, by a Proclamation issued under the public seal of the said Colony, on the 20th day of January 1860, the price of agricultural land, surveyed by the Government surveyor, which may or shall have been offered for sale at public auction and remain unsold, was fixed at ten shillings per acre, payable one-half in cash at the time of sale, and the other half at the expiration of two years from the time of sale.

And whereas I have been empowered by Her Majesty's Government to lower the price of country lands in British Columbia, in all cases, to the sum of four shillings and twopence (4s. 2d.) per acre.

Repeal of so much of the Proclamation of the 20th January, 1860, as fixes the price of land in B. C. at 10s. per acre. Price of unsurveyed lands to be 4s. 2d. per acre.

Upset price of surveyed lands 4s. 2d. per acre. Short Title.

Now, therefore, I do hereby declare, proclaim, and enact as follows:—

I. So much of the said Proclamation of the 20th day of January 1860, as fixed the price of surveyed agricultural land at ten shillings per acre is hereby repealed.

II. The price of all unsurveyed country land in British Columbia, whether acquired by pre-emption or purchase under the Proclamation dated the 4th day of January 1860, shall be four shillings and twopence (4s. 2d.) per acre.

III. The upset price of all country lands in British Columbia exposed for sale at public auction, shall be four shillings and twopence (4s. 2d.) per acre.

IV. This Proclamation may be cited for all purposes as the "Country Land Act, 1861."

Issued under the public seal of the said Colony at Victoria, Vancouver Island, the nineteenth day of January, in the year of our Lord One thousand eight hundred and sixty-one, and in the twenty-fourth year of Her Majesty's reign, by me,

JAMES DOUGLAS.

By command of his Excellency,

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

GOD SAVE THE QUEEN.

App. No. 4.

APPENDIX No. 4.

BRITISH COLUMBIA.—No. 31.

No. 31.—"The Pre-emption Amendment Act, 1861."

[Repealed by subsequent Proclamation, No. 38, page 77.]

App. No. 5.

APPENDIX No. 5.

BRITISH COLUMBIA.—No. 32.

PROCLAMATION.—No. 3, A.D. 1861. By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia and its Dependencies, Vice-Admiral of the same, &c., &c.

WHEREAS, by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation issued under the public seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas it is expedient to afford remissions in the purchase money of country lands purchased for actual settlement to certain officers of Her Majesty's Royal Army and Navy in certain cases:

Now, therefore, I, James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, order, and enact as follows, viz.:—

That from and after the date hereof Military and Naval officers in Her Majesty's service, of the rank herein-after specified, who shall purchase country land in British Columbia, shall, subject as herein-after mentioned, and upon production of the certificate herein-after also mentioned, be entitled in paying for such country lands to the remissions following:—

Field officers, of 25 years' service, in the whole	-	-	-	-	-	£600
Field officers of 20 years' service and upwards, in the whole	-	-	-	-	-	500
Field officers of 15 or less years in the service, in the whole	-	-	-	-	-	400
Captains of 20 years' service and upwards, in the whole	-	-	-	-	-	400
Captains of 15 years' service or less, in the whole	-	-	-	-	-	300
Subalterns of 20 years' service and upwards, in the whole	-	-	-	-	-	300
Subalterns of 7 years' service and upwards, in the whole	-	-	-	-	-	200

Regimental staff officers and Medical officers of the Army and Navy shall be entitled, but Military chaplains, Commissariat officers, officers of any of the civil departments of the Army, pursers, chaplains, midshipmen, warrant officers of every description, and officers of any of the civil departments of the Navy, shall not be entitled to the remissions aforesaid.

Every person desiring to take advantage of the remissions aforesaid, shall, before obtaining the same, produce to and leave with the Chief Commissioner of Lands and Works for British Columbia, a certificate from the office of the General Commanding-in-Chief in England, or from the office of the Lords Commissioners of the Admiralty showing that the settlement of the said person in a British Colony has been duly sanctioned, and showing also the rank, and length of service of such person, but nothing herein contained shall entitle any person to any of the remissions aforesaid, except such person shall at the time of purchasing, be either on half-pay or full-pay, unless the person purchasing shall have quitted the service for the purpose of settling in a British Colony, as herein-after mentioned.

Every person who shall have so quitted the service for the purpose of settling as aforesaid, shall, before obtaining such remission as aforesaid, obtain a statement by the proper authority, to be made in one of the offices aforesaid, upon his certificate aforesaid, of the date of his retirement from the army or navy, for the purpose aforesaid.

The person so having retired as aforesaid, who shall have conformed to the regulations aforesaid, shall present his certificate aforesaid, to the Governor for the time being aforesaid, within one year from the date of his retirement aforesaid, and in default thereof, shall cease to be entitled to any remission.

Provided always that every person obtaining a remission as aforesaid, shall not be entitled to a grant of the land in respect whereof such remission shall have been allowed, until he shall have obtained from the Governor for the time being of British Columbia, a certificate that he has been a *bonâ fide* settler in British Columbia for the space of two years.

Provided, that until such person shall have obtained a grant as aforesaid, he shall be entitled to a location ticket to be issued to him by the Chief Commissioner of Lands and Works in British Columbia.

Provided, that unless the person holding such location ticket shall obtain a grant of the land in respect of which such location ticket shall have been granted within twelve months from the expiration of the said term of two years, the land in respect of which such location ticket shall have been granted, shall absolutely revert to the Crown, and be capable of being sold, pre-empted or granted *de novo*.

Provided, that no location ticket shall be granted, and no remission claimed unless such remission shall be claimed in respect of some specific land within two years from the date of such certificate from the offices aforesaid.

Provided, that the land in respect of which such remission shall have been claimed, shall not be transferable until a grant thereof as aforesaid shall have been made thereof.

Provided, that the Governor for the time being of British Columbia may, in case of the death of the person entitled to the remission aforesaid, before a grant of the land aforesaid, by any writing under his hand, confer the benefit of the remission aforesaid to such child or children or other relative of the person entitled to such remission as he may think proper.

Provided, that such child, children, or other relative shall enjoy the right to such remission to the same extent, and subject to the same conditions as the person so dying would have done had he lived.

(L.S.) Issued under the public seal of the said Colony, at Victoria, Vancouver Island, this eighteenth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and in the twenty-fourth year of Her Majesty's reign, by me,

JAMES DOUGLAS.

By his Excellency's command,

WILLIAM A. G. YOUNG,

Colonial Secretary.

GOD SAVE THE QUEEN.

APPENDIX No. 6.

App. No. 6.

No. 35.—“The Pre-emption Purchase Act, 1861.”

[Repealed by subsequent Proclamation, No. 38, page 77.]

APPENDIX No. 7.

App. No. 7.

BRITISH COLUMBIA.—No. 37.

PROCLAMATION.—No. 8, A.D. 1861. By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia and its Dependencies, Vice-Admiral of the same, &c., &c.

WHEREAS, under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, entitled “An Act to provide for the Government of British Columbia,” and by a commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the public seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same.

And whereas, for the more effectually securing the title to and facilitating the transfer of real property in the Colony of British Columbia, it is expedient to provide the means of registering matters affecting the same.

Now, therefore, I do hereby declare, proclaim, and enact as follows:

I. There shall be established in New Westminster and in such other districts in British Columbia as may from time to time be nominated by the Governor by proclamation under his hand and the public seal of the Colony, offices for the registration of instruments, in writing, affecting real estate in the Colony, and the office at New Westminster shall be styled “The Land Registry Office,” and the other offices shall be styled the “District Land Registry Offices,” with the addition of the names of the districts wherein the same are established.

2. It shall be lawful for his Excellency the Governor to appoint by Commission under the public seal of the Colony, proper persons to perform the duties of the said offices, who shall be styled the “registrars,” and also upon any vacancy in the said offices to appoint from time to time in like manner other proper persons to be the registrars.

IV.

K

Offices in New
Westminster
and other dis-
tricts in British
Columbia.

Appointment
of Registrar
General and
Registrars for
Districts.

BRITISH
COLUMBIA.

The registrar appointed at New Westminster shall be styled "Registrar General of British Columbia," and shall have the superintendence of all the said offices.

3. The magistrates in British Columbia may be appointed registrars pro tempore.

4. There shall be provided at the public expense, houses or other places convenient for carrying on the business of the said offices, with all proper means for making and preserving the records and registers herein-after directed to be made and kept, and also seals of offices with suitable devices, whereon shall be inscribed "Land Registry Office," with the addition of the name of the district wherein the same is situate; the said seals shall be in the custody of the registrars for the time being, to be used in their official capacity only, and they shall be responsible for the safety and the use thereof, and judicial notice shall be taken in all courts of the impressions thereof without any evidence of such seal having been impressed, or any other evidence in relation thereto.

5. The "registrar general" shall from time to time by writing under his hand and official seal appoint a deputy who may perform the duties of the office, but all the official acts of the said deputy shall be in the name of the registrar-general, who shall be responsible for the same. The instrument under which such deputy shall be appointed shall be deposited among the records of the office for public reference. And in case of a vacancy in the office of registrar-general, the deputy shall during such vacancy perform the duties of the office as the registrar-general and until a successor be appointed.

6. Before entering upon the duties of their offices, the registrars and deputy-registrar shall find good and sufficient bonds conditioned for the faithful performance of their duties, and shall take the oaths of allegiance and supremacy, and shall be sworn to the faithful performance of their duties before entering thereon.

7. There shall be paid to the "registrar general" an annual salary not to exceed the sum of 500*l*., to the deputy and registrars an annual salary not to exceed 300*l*., and an adequate remuneration to each of the magistrates appointed registrars.

8. The office at New Westminster shall be opened on the 1st day of November 1861, and the other offices shall be opened on the 28th day next after the proclamations of nomination respectively, and until the opening of the district offices, the registration of all instruments affecting real estate in British Columbia shall be effected at the Land Registry Office at New Westminster.

9. From and after the nomination of a district and the opening of an office therein as aforesaid, all instruments affecting any real estate in the said district, shall be registered in the office of such district, and in none other.

10. The place of business of the said offices shall be kept open every day in the year, except Saturdays, Sundays, Good Friday, Christmas Day, New Year's Day, and such other public holidays and fast days as are or may by law or proclamation from time to time be declared in the Colony, from the hour of 10 o'clock in the morning to the hour of 4 o'clock p.m.

11. It shall be the duty of the registrars, when requested, and upon the payment of the proper fees, to register or cause to be registered all instruments in any manner affecting real estate situate within their respective districts or the title thereto which shall be certified as hereinafter required by correctly transcribing or copying the same with the certificates endorsed thereon or attached thereto, word for word, letter for letter, figure for figure, sign for sign, and erasure for erasure, in books appropriate to the titles respectively endorsed on such instruments.

12. Upon the opening of a district office, a transcript of the registrations affecting real estate in such district prior to such opening shall be sent to the registrar of such district from the registrar general's office, and shall be kept in such district office as part of the records of such office.

13. The registrars shall have the custody of and shall safely keep and preserve all the records, the furniture and seal of their offices, but shall not be responsible if the same are lost, or destroyed by fire or other inevitable accident.

14. Before any instrument other than a decree, judgment, or order of a Court of Civil Jurisdiction, is registered, and to entitle the same to be registered in the said office, the execution thereof shall first have been acknowledged or proved in the manner hereinafter provided, such fact of acknowledgment or proof shall appear by a certificate under the hand and seal of the proper officer or other person authorized to take such acknowledgments endorsed upon or attached to such conveyance, deed, or other instrument.

15. The acknowledgment or proof of execution of all instruments hereby authorized to be registered, if acknowledged or proved within the Colony, may be made to any registrar or to any person commissioned in that behalf by the Judge of the Supreme Court of Civil Justice of British Columbia, and if acknowledged or proved without the Colony and within the British dominions, may be made to any judge of a court, or clerk or registrar of any court having a seal, or to any notary public, or to any magistrate of any town or district within the said dominions, and if acknowledged or proved without the British dominions may be made to any British ambassador, chargé d'affaires, or minister, consul, or consular agent appointed to reside in the country where such acknowledgment or proof is made, or to any judge of any Court of Record having a seal, or to any notary public practising in such country.

16. The Judge of the Supreme Court of Civil Justice for the time being may appoint by commission such and as many competent persons other than the persons before mentioned as may be necessary for the accommodation of the public, to take the acknowledgment and proof of the execution of all instruments in writing within the Colony which may by law be registered.

17. No acknowledgment of the execution of any instrument affecting any real estate within this Colony shall be taken unless the party offering to make such acknowledgment shall appear before the officer taking the same, and unless such party shall either be personally known to the officer, or his identity be proven by the oath or affirmation of a competent witness, and no certificate of acknow-

Magistrates may be appointed District Registrars.

Places of business, Seals of Office to be kept and impressions thereof to be taken judicial notice of.

Deputy Registrar.

Registrar's bonds and oaths.

Salaries.

Date of opening office at New Westminster and in the other districts.

All instruments affecting real estate in a district are to be registered in the district office when nominated.

Office hours.

Registration of instruments affecting real estate.

Upon the opening of a district office a transcript of registrations in that district to be sent to the district Registrar.

Custody and preservation of records.

To entitle instruments to be registered.

Acknowledgments of proofs of execution to whom to be made within the Colony, and within the British dominions. If acknowledged without the British dominions,

Judge of Supreme Court to appoint officers to take acknowledgments.

Party acknowledging must either be known to officer taking acknowledgment.

ledgment shall be valid unless it recites in substance and legal effect the facts required by this section.

18. Acknowledgments and proofs of the execution of instruments entitled to be registered may for the purposes of this Act be made by—

1. The party executing in person such instrument.
2. The attorney in fact when such instrument is executed by an attorney in fact.
3. The secretary of any corporation when such instrument is executed by such secretary.
4. A subscribing witness to such instrument.

Provided always, that no acknowledgment of any party executing in person such conveyance, deed, or other instrument shall be taken, unless in addition to what is required by Section 17 of this Act, such party acknowledge that he is the person mentioned in such instrument as the maker thereof, and whose name is subscribed thereto as a party, that he knows the contents thereof, and that he executed the same voluntarily, and no certificate of acknowledgment shall be valid unless in addition to what is required by Section 17 to be recited, it recites in substance and legal effect the facts required by this proviso. And provided also, that no acknowledgment by an attorney in fact shall be taken unless in addition to what is required by Section 17 of this Act, such attorney in fact shall acknowledge that he is the person who subscribed the name of (naming the maker) to the instrument, that said (naming the maker) is the same person mentioned in the instrument as the maker thereof, that (naming the attorney in fact) knows the contents of the instrument and subscribed the name of (naming the maker) thereto voluntarily as the free act and deed of the said (naming the maker), and no certificate of such acknowledgment shall be valid unless in addition to what is required by Section 17 to be recited, it shall recite in substance and legal effect the facts required by this proviso.

And provided also, that no acknowledgment by the secretary of any corporation shall be taken unless in addition to what is required by Section 17 of this Act, such secretary acknowledge that he is the person who subscribed his name and affixed the seal of such corporation as the secretary to such instrument, and that he was first duly authorized to subscribe and to affix the said seal to the same, and no certificate of such acknowledgment shall be valid unless in addition to what is required by Section 17 to be recited, it recites in substance and legal effect the facts required by this proviso. And provided also, that no acknowledgment by a married woman shall be taken unless in addition to what is required by Section 17, such married woman shall be first made acquainted with the contents of the instrument and the nature and effect thereof, and shall acknowledge on examination apart from and out of hearing of her husband that she knows the contents of the instrument and understands the nature and effect thereof, that she executed the same voluntarily without fear or compulsion or undue influence of her husband, that she is of full age and competent understanding, and does not wish to retract the execution of the same, and no certificate of such acknowledgment shall be valid unless in addition to what is required by Section 17 to be recited, it recites in substance and legal effect the facts required by this proviso. And provided also, that no acknowledgment or proof by a subscribing witness shall be taken unless in addition to what is required by Section 17 of this Act, such subscribing witness shall acknowledge that he is the person whose name is subscribed to the instrument as a witness, and shall prove that (naming the maker) whose name is subscribed thereto as the maker did execute the same, and no certificate of such acknowledgment or proof shall be valid unless in addition to what is required by Section 17 to be recited, it recites in substance and legal effect the facts required by this proviso.

19. That upon the application of any person taking any grant, lease, mortgage or charge, under or by virtue of any instrument entitled under this Act to be registered, or of any person claiming under such last mentioned person, verified under the oath of the applicant, that any party or witness to such instrument residing or being within twenty miles of any office refuses to appear and acknowledge or testify touching the execution thereof, and that such instrument cannot be registered without such acknowledgment or testimony, the registrar may issue a notice in writing requiring such party or witness to appear before him, and to acknowledge or testify.

20. That every person who, after having been served with such notice as aforesaid, shall refuse or neglect to appear without reasonable cause assigned, or appearing shall refuse to acknowledge or answer upon oath or affirmation touching the matter aforesaid, shall be liable to a penalty not exceeding 20*l.* sterling, which may be recovered before any justice of the peace in a summary way, and for such damages as may be sustained by such party on account of such neglect or refusal; but no person shall be required to attend unless his reasonable expenses shall have been first tendered to him, together with a reasonable sum for his loss of time.

21. That it shall be competent for the Supreme Court of Civil Justice aforesaid to issue a commission for taking the deposition of any subscribing witness to any instrument entitled under this Act to be registered, in the same manner as for taking the testimony of any witness in a cause pending before it; and that all the costs of such commission, and all directions for executing the same, shall be at the discretion of the said Court, regard being had to the general provisions of this Act.

22. When any instrument authorized by law to be registered shall be deposited in the registrar's office for registration, the registrar, or in the case of the Registrar General, the Registrar General or his deputy shall endorse upon the same the exact time when it was so deposited, noting the year, month, day, hour and minute of its reception, which shall be considered the date of registration, and when the same shall have been registered, shall also note at the foot of the register or record thereof, the year, month, day, hour, and minute when it was deposited for registration, and shall sign the record thereof, and shall also note under his signature and seal upon each instrument registered the book and pages of the book in which, and the time when, it is registered, before it is returned to the party entitled to the same.

23. From the time any instrument affecting real estate, acknowledged and certified as required by

ment or identity proven.

Who may make acknowledgments, what facts to be acknowledged, and forms and contents of certificates.

Registrar-General may subpoena party or witness to testify.

Penalty for refusing to obey subpoena or to acknowledge or testify. When not bound to obey subpoena.

Commission may issue to take deposition.

Registrar's duty on receipt of instruments.

Registration to impart notice.

BRITISH
COLUMBIA.

Unregistered
conveyance, &c
not to impart
notice to third
parties.

Lien, &c.,
when released
to be satisfied of
record.

Power not to
be revoked
until revocation
is registered.

Revocation by
death, insanity,
&c., not to
revoke until
registration of
an affidavit.

Registrar to
register affida-
vit accordingly.

Original deed
duly acknow-
ledged may be
read in evidence.

Certified copies
of deeds to have
the force of
originals in
certain cases.

Certificate of
acknowledg-
ment to be
prima facie
evidence.

Indices to be
kept.

Registrar to
make searches
and to furnish
certificates
thereof.

Fees of office.

this Act, shall be delivered to a registrar, or in case of the registrar-general to him or his deputy registrar for registration, all persons shall be deemed to have notice of the contents and legal effect of such instrument.

24. No person, other than the actual parties thereto, shall be deemed to have notice of any instrument affecting real estate in the said Colony executed after the said 1st day of November 1861, unless the same be acknowledged or proved and certified, and registered pursuant to this Act, and every instrument hereafter made which shall not be acknowledged or proved, certified and registered pursuant to this Act, shall be void as against any subsequent purchaser or incumbrance of the same real estate who shall have registered the instrument under which his title as purchaser or incumbrance arises previously, provided always that nothing herein contained shall be construed to impair the power of the Court of Chancery to grant relief upon bill filed charging actual fraud or conspiracy.

25. Whenever any lien or incumbrance registered as aforesaid affecting any real estate shall be released, satisfied, or discharged, it shall be the duty of the person from whom such release, satisfaction, or discharge moves, to give to the person in whose favour the same is made an instrument in writing acknowledging the same to have been made, and such instrument shall be acknowledged or proved and certified as herein-before required.

And if any person whose duty it is to give such release, satisfaction, or discharge, refuses or neglects for the space of ten days after being thereto requested by the party entitled to the same to execute and acknowledge such instrument, he shall be liable to a like penalty of £20 as aforesaid to be levied in manner aforesaid, and also for all actual damages occasioned by such neglect or refusal.

26. No power of attorney when registered as required by this Act, shall be deemed to be revoked by any Act of the grantor thereof until the instrument containing such revocation acknowledged or proved and certified in the manner required by this Act shall be delivered for registration.

27. The death, insanity, bankruptcy, or insolvency of any maker of a power of attorney, or the marriage of any female maker of a power of attorney, shall not be deemed to revoke such power of attorney as far as any real estate in any district in British Columbia is concerned until an affidavit of such death, insanity, bankruptcy, or marriage shall have been served upon the Registrar-General or his deputy, and the Registrar of each district in which such real estate is situate.

28. It shall be the duty of every registrar or deputy registrar served with such affidavit, as last aforesaid, immediately to register the same in an affidavit book to be kept for that purpose, and to write on the pages of the register on which such power of attorney is registered, a note to the effect following "alleged to be revoked by" (death, insanity, &c., &c.), see registered affidavit (page affidavit book volume)

29. Every instrument which shall be acknowledged or proved and certified as in this Act prescribed may, together with the certificate of acknowledgment or proof, be read in evidence in all courts of law and equity without further proof of execution.

30. Copies of all instruments duly deposited for registration or registered in a registrar's office certified by the registrar, or in case of the Registrar-General's office by him or the Registrar-General's deputy to be full, true, and correct copies, may, in the absence of the original, and if produced by a party not having the control of the original, be read in evidence in all courts of law and equity without further proof.

31. The certificate of any officer authorized to take acknowledgments pursuant to this Act shall be prima facie evidence of the facts therein recited, but shall not be conclusive.

32. Each registrar shall form and keep indices in separate volumes, in such manner as to afford correct and easy reference to the several records of his office.

33. It shall be the duty of registrars, upon the application of any person set forth in distinct and specific terms in writing, to make searches for all instruments deposited and registered in his office, touching or affecting the real estate specified in such application, and to furnish a certificate of every such search, stating the names of the parties to such instruments, the dates thereof, the year, month, day, hour, and minute they were deposited or registered, and the book and page where they are registered.

34. For the official services rendered by the registrars they are hereby authorized and empowered to charge the following fees, viz. :—

For taking the acknowledgment or proof of any instrument which may by law be registered, for each signature of a party if more than one, four shillings, if only one signature eight shillings, including a certificate of acknowledgment of execution in both cases; for administering an oath, four shillings; for endorsing the time of depositing any instrument, and for noting the same in the record, and for endorsing the registration thereof upon every such instrument, two shillings; for registering any instrument, for every folio of one hundred words and figures therein, each and every figure to count as a word, three shillings, fractions of a folio to count as a folio; for making in the indices the several entries of instruments registered, required by law to be indexed, for every such instrument, two shillings and sixpence; for the use of the records for inspection and examination by persons desiring to inspect the same, for every such inspection and examination at one time, one shilling; for making certified copies of all instruments, matters, and things deposited, and of record in the office, the same fees as for registering instruments; for every subpoena, four shillings; for every official certificate, four shillings; for registering plans, maps, charts, surveys, diagrams, schedules, drawings, and other writings, matters, and things not herein enumerated and mentioned, and for making certified copies of any such, and for making searches, and for all other services not herein specified to be rendered by the registrars, such fees to be charged as may be agreed upon between them and the party requiring the performance of the same, and in case of difference the fees to be determined under the direction of the Judge of the Supreme Court, whose decision shall be final; for persons not connected with the office making for themselves transcripts or extracts from the records, no charge, but

the making of such transcripts and extracts to be allowed only subject to such rules as shall be established by the Registrar General as aforesaid, and which shall be suspended in the office for the information of the public.

BRITISH
COLUMBIA.

35. It shall be lawful for the Registrar-General from time to time as he shall see fit, with the sanction of the Supreme Court of Civil Justice, to change the amount of any of the aforesaid fees, and to establish such other and reduced or additional fees as may be deemed expedient, provided that a list of all such changes and additions shall, when made and sanctioned, be laid before the Governor within a fortnight; and provided also that a similar list shall be suspended in a conspicuous place in the Registrar-General's office for one calendar month at least before the same shall come into operation, after which period it shall be lawful for the registrars to charge and recover such altered fees.

Authority to
alter fees under
certain con-
ditions.

36. The registrars shall not be bound to receive or register any instrument or furnish any copies, or make any search, or render any service connected with their offices until the fees for the same, as prescribed by law, are first paid or tendered.

Fees to be
pre-paid.

The registrars shall keep a strict account of all fees received in their offices, and shall quarterly pay over all such fees to the colonial treasurer, whose receipt in writing will be a sufficient discharge for the same.

And such fees when so received by the said treasurer shall form part of the public monies belonging to the Colony.

37. In the construction of this Act the following words used therein shall have the following meanings, unless there be something repugnant or contradictory in the context, viz.: "real estate" shall include lands, tenements, and hereditaments, whether corporeal or incorporeal. "Instrument" shall include every deed or agreement in writing, and every judgment, decree, or order of any Court of Civil Jurisdiction in British Columbia.

Meaning of
certain words,
expressions, and
terms in this
Act.

38. Nothing herein-before contained shall be deemed to apply to any instrument of whatever nature made before the said 1st day of November 1861, but any instrument made prior to the said 1st of November 1861, although not acknowledged or proved and certified as provided in this Act, may be registered in the offices of the said registrars, and all such last-mentioned records shall be made and kept in a manner as nearly as may be the same as herein appointed for instruments of a like nature dated subsequently to the said first day of November 1861.

Exceptions as
to conveyances
made.

And indices shall also be kept thereof as nearly as may be similar to those herein appointed for instruments dated subsequently to the said 1st day of November 1861, but all such records and indices shall be kept separate and distinct from the records and indices relating to instruments made subsequently to the said first day of November 1861.

And all persons shall be deemed to have notice of any instrument executed prior to the said 1st day of November 1861, which shall be registered pursuant to this section, from the time the same shall be delivered to the Registrar-General for registration.

39. This Act may be cited as the "British Columbia Land Registry Act, 1861."

Short title.

(L.s.) Issued under the public seal of the said Colony at Victoria, Vancouver Island, the twenty-sixth day of August, in the year of our Lord one thousand eight hundred and sixty-one, and in the twenty-fifth year of Her Majesty's reign, by me,

By his Excellency's command,

WILLIAM A. G. YOUNG.

JAMES DOUGLAS.

GOD SAVE THE QUEEN.

APPENDIX No. 8.

App. No. 8.

BRITISH COLUMBIA.—No. 38.

PROCLAMATION.—No. 9, A.D., 1861. By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia and its Dependencies, Vice-Admiral of the same, &c., &c.

WHEREAS, under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I James Douglas, have been appointed Governor of the said Colony, and have been authorized by proclamation under the public seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas it is expedient to amend and consolidate the laws affecting the settlement of unsurveyed crown lands in British Columbia:

Now, therefore, I do hereby declare, proclaim, and enact as follows:

I. The proclamation issued by me, under the public seal of the said Colony, dated the 4th day of January 1860, and the Pre-emption Amendment Act, 1861, and the Pre-emption Purchase Act, 1861, are hereby repealed.

Repeal of former
Proclamations.

II. All purchasers of unsurveyed land in British Columbia, who shall have made their purchases subsequently to the 20th day of June 1861, and previously to the 27th day of August 1861, shall hold the land purchased under precisely the same terms and conditions of occupation and improvement

Purchasers since
the 20th June
to hold on the
ordinary terms of
pre-emption.

BRITISH
COLUMBIA.

as are mentioned in the said proclamation of the 4th day of January 1860, with regard to lands pre-empted without purchase.

III. That from and after the date hereof, British subjects and aliens who shall take the oath of allegiance to Her Majesty and her successors, may acquire the right to hold and purchase in fee simple, unoccupied and unsurveyed and unreserved crown lands in British Columbia, not being the site of an existent or proposed town, or auriferous land available for mining purposes, or an Indian reserve or settlement, under the following conditions.

IV. The person desiring to acquire any particular plot of land of the character aforesaid, shall enter into possession thereof, and shall record his claim to any quantity not exceeding 160 acres thereof, with the magistrate residing nearest thereto; paying to the said magistrate the sum of eight shillings for recording such claim.

V. Any person in possession of 160 acres of land as aforesaid may acquire the right to hold and purchase any further tract of unsurveyed and unoccupied land aforesaid, over and above the quantity of 160 acres aforesaid, and contiguous thereto, upon payment to the nearest magistrate of the sum of 2s. 1d. per acre for the same, as and by way of instalment of the purchase money to be ultimately paid to the Government upon the survey of the same land.

VI. Any person so paying such deposit shall enter into possession and record his claim to such last-mentioned tract of land, in manner herein-before prescribed.

VII. The claimant shall in all cases give the best possible description of the land to the magistrate with whom his claim is recorded, together with a rough plan thereof, and identify the plot in question by placing at the corners of the land four posts, and by stating in his description any other land marks of a noticeable character.

VIII. Every piece of land sought to be acquired under the provisions of this proclamation, shall, save as herein-after mentioned, be of a rectangular shape, and the shortest line thereof shall be at least two-thirds the length of the longest line.

IX. Where the land sought to be acquired is in whole or in part bounded by mountains, rocks, lakes, swamps, or the margin of a river, or by other natural boundaries, then such natural boundaries may be adopted as the boundaries of the land sought to be acquired, and in such case it shall be sufficient for the claimant to show to the satisfaction of the magistrate that the said form conforms as nearly as circumstances permit to the provisions of this proclamation.

X. If the land sought to be acquired be bounded by a claim, the line of such claim may be adopted by the person so seeking to acquire, notwithstanding any irregularity in such line which may have been occasioned by the adoption of a natural boundary by the claimant of the adjacent claim.

XI. Where a piece of land is partially or entirely enclosed between two or more claims, the claimant may acquire such enclosed piece notwithstanding any irregularity of form, or disproportion in length of any of the sides.

XII. The boundaries shall run as nearly as possible by the cardinal points of the compass.

XIII. When the Government survey shall extend to the land claimed, the claimant who has recorded his claim as aforesaid, or his heirs or devisees, or in the case of the grant of a certificate of improvement herein-after mentioned, the assigns of such claimant shall, if he or they shall have been in continuous occupation of the same land from the date of the record aforesaid, be entitled to purchase the land so acquired, or in respect of which such deposit shall have been paid as aforesaid, at such rate as may for the time being be fixed by the Government of British Columbia, not exceeding the sum of 4s. 2d. per acre.

XIV. When the claimant, his heirs or devisees, shall prove to the nearest magistrate by the evidence of himself and of third parties, that he or they has or have continued in permanent occupation of the claim from the date of record, and has or have made permanent improvements thereon to the value of 10s. per acre, the said magistrate shall grant to the said claimant, his heirs or devisees, a certificate of improvement in the form marked A., in the Schedule hereto.

XV. Upon the grant of the certificate of improvement aforesaid, the person to whom the same is issued may, subject to any unpaid instalments, sell, mortgage, or lease the land in respect of which such certificate has been issued, but no interest in any plot of land acquired in either of the methods aforesaid, shall, before payment of the purchase money, be capable of passing to a purchaser, unless the vendor shall have obtained such certificate of improvement as aforesaid.

XVI. Upon payment of the purchase money a conveyance of the land purchased shall be executed in favour of the purchaser, reserving the precious minerals, with a right to enter and work the same in favour of the Crown, its assignees, and licensees.

XVII. In the event of the Crown, its assignees, or licensees availing itself or themselves of the privileges (other than the taking of land required for roads) mentioned in clauses 25 and 26, a reasonable compensation for the land taken, wasted, or damaged shall be paid to the person whose land shall be taken, wasted, or damaged as aforesaid, and in case of dispute the same shall be settled by a jury of six men, to be summoned by the nearest magistrate.

XVIII. Priority of title shall be obtained by the person who, being in possession, shall first record his claim in manner aforesaid.

British subjects, and aliens who shall take the oath of allegiance, may acquire the right to hold land, and to purchase the same when surveyed, on certain conditions.

The settler shall enter into possession and record his claim to any quantity not exceeding 160 acres.

A holder of land may acquire additional land contiguous to the 160 acres, by paying an instalment of the purchase money.

Proposing purchaser shall hold and record.

Description of the land, how to be stated.

Rectangular shape or as nearly as possible proportion of the lines.

Natural boundaries may be adopted in certain cases.

Lines of adjacent claims may be adopted.

Enclosed spaces may be adopted, notwithstanding any irregularity of shape.

Boundaries to run as nearly as possible according to the points of the compass.

Purchase on survey.

Certificate of improvement to be issued when improvements have been made to the extent of 10s. per acre.

When certificate of improvement has been issued, the holder may sell or deal with the land.

Conveyance on payment of the purchase money.

Compensation to owner whose land may be taken or injured in certain cases.

Priority of title.

XIX. Whenever any person shall permanently cease to occupy land acquired in either of the methods aforesaid, the magistrate resident nearest to the land in question may, in a summary way, on being satisfied of such permanent cessation, cancel the claim of the person so permanently ceasing to occupy the same, and record the claim thereto of any other person satisfying the requisition aforesaid.

BRITISH,
COLUMBIA.

Cancellation of claim on permanent cessation of occupation.

XX. All deposits paid in respect of such forfeited claims, and all improvements, buildings, and erections thereon, shall, (subject to the appeal herein-after mentioned,) on such cancellation, be absolutely forfeited; and such claims, improvements, building and erections shall, subject to the appeal herein-after mentioned, be open to settlement by any other person.

Deposits and im-
provements for-
feited on cancel-
lation.

XXI. The decision of the magistrate may be appealed by either party to the decision of the Judge of the Supreme Court of Civil Justice of British Columbia.

Appeal.

XXII. Any person desirous of appealing in manner aforesaid may be required, before such appeal be heard, to find such security as may be hereafter pointed out by the rules or orders hereinafter directed to be published.

Security on appeal.

XXIII. The procedure before the magistrate and judge respectively shall be according to such rules and orders as shall be published by such judge, with the appropriation of the Governor for the time being of British Columbia.

Procedure.

XXIV. Whenever a person in occupation at the time of record aforesaid shall have recorded as aforesaid, and he, his heirs, or (in the case of a certificate of improvement) his assigns shall have continued in permanent occupation of the same land since the date of such record, he or they may, save as herein-before mentioned, bring ejectment, or trespass, against any intruder upon the same land, to the same extent as if he or they were seised of the legal estate in possession in the same land.

Ejectment or
trespass by holder.

XXV. Nothing herein contained shall be construed as giving a right to any claimant to exclude free miners from searching for any of the precious minerals or working the same, upon the conditions aforesaid.

Saving of right to search and get gold in favour of free miners.

XXVI. The Government shall notwithstanding any claim, record, or conveyance aforesaid, be entitled to enter and take such portion of the land acquired in either of the methods aforesaid, as may be required for roads or other public purposes.

Power to Govern-
ment to re-take
land for public
purposes.

XXVII. Water privileges, and the right of carrying water for mining purposes, may, notwithstanding any claim recorded, be claimed and taken upon, under, or over the said land, so pre-empted or purchased as aforesaid, by free miners requiring the same, and obtaining a grant or licence from the Gold Commissioner, and paying a compensation for waste or damage to the person whose land may be wasted or damaged by such water privilege or carriage of water, to be ascertained in case of dispute in manner aforesaid.

Water for mining purposes may be taken.

XXVIII. If any person, being already registered as a claimant, register a claim to any other land not being contiguous thereto, the land so previously claimed shall, *ipso facto*, be forfeited, and shall, with all improvements made thereon, be open to settlement by any other person.

If new claim taken
up the old claim,
is lost.

XXIX. In case any dispute shall arise between persons with regard to any land so acquired as aforesaid, any one of the parties in difference may, before ejectment or action of trespass brought, refer the question in difference to the nearest magistrate, who is hereby authorized to proceed in a summary way to restore the possession of any land in dispute to the person whom he shall deem entitled to the same, and to abate all intrusions, and award and levy such costs and damages as he may think fit.

Arbitrament of
Magistrate.

XXX. This proclamation may be cited as the "Pre-emption Consolidation Act, 1861."

Short title.

(L.S.) Issued under the public seal of the said Colony, at Victoria, Vancouver Island, this 27th day of August, in the year of our Lord One thousand eight hundred and sixty-one, and in the twenty-fifth year of Her Majesty's reign, by me,

JAMES DOUGLAS.

By his Excellency's command,

WILLIAM A. G. YOUNG.

GOD SAVE THE QUEEN.

SCHEDULE A.

I hereby certify that _____ has satisfied me by evidence of (naming the witnesses, and detailing any other evidence upon which the magistrate has come to his judgment) that _____ of _____ has made improvements to the extent of 10s. an acre on _____ acres of land, situated at _____.

Signed,
this day of

BRITISH
COLUMBIA.

App. No. 9.

APPENDIX No. 9.

BRITISH COLUMBIA.—No. 40.

PROCLAMATION.—No. 11, A.D. 1861. By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia and its Dependencies, Vice-Admiral of the same, &c., &c.

WHEREAS, under and by virtue of an Act of Parliament made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled "An Act to provide for the Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by proclamation under the public seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same.

And whereas it is expedient to increase the limits of the municipality, and the number of councillors of New Westminster, and to extend the operation of the New Westminster Municipal Council Act, 1860, accordingly:

Now, therefore, I do hereby declare, proclaim, and enact as follows:—

From and after the date of this proclamation,

Adds block 36 to
No. I. ward.

1. All that tract of land, which includes the piece of land described on the official maps of the said city as Block XXXVI. shall be included in the second part of the schedule of the said Act, and be deemed and taken for all the purposes of this Act as an integral portion of number One Ward.

Adds block 35 to
No. III. ward.

2. All that tract of land, which includes the piece of land described on the official maps of the said city as Block XXXV. shall be included in the second part of the schedule of the said Act, and be deemed and taken for all the purposes of this Act as an integral portion of number Three Ward.

Adds block 34 to
No. IV. ward.

3. All that tract of land which includes the piece of land described on the official maps of the said city as Block XXXIV. shall be included in the fifth part of the schedule to the said Act, and be deemed and be taken for all the purposes of this Act as an integral portion of number Four Ward.

Creates two additional council-
lors, one for No. I.
and one, No. IV.
ward.

4. In addition to the councillors already provided by the said Act, there shall be elected, in the same manner and with the same qualifications as at present, one additional councillor for number One Ward, and one additional councillor for number Four Ward.

Extends the pro-
visions of the
"New Westmin-
ster Municipal
Act, 1860," to the
additional limits
and councillors.

5. The "New Westminster Municipal Council Act, 1860," shall be deemed and taken, and is hereby declared to extend and apply in all respects to the additional limits and councillors hereby created for the said city, as if the same had been originally included in the said Act.

Short title.

6. This Act shall be cited as the "New Westminster Municipal Council Extension Act, 1861."

Issued under the public seal of the said Colony at Victoria, Vancouver Island, this Twenty-second day of October, in the year of our Lord One thousand eight hundred and sixty-one, and in the twenty-fifth year of Her Majesty's reign, by me,

JAMES DOUGLAS.

By his Excellency's command,

WILLIAM A. G. YOUNG.

GOD SAVE THE QUEEN.

LONDON:

Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

BRITISH COLUMBIA.

FURTHER PAPERS

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART IV.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR.

Presented to both Houses of Parliament by Command of Her Majesty.
March 1862.

LONDON:

PRINTED BY GEORGE EDWARD WILKES AND WILLIAM STOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

BY HER MAJESTY'S STATIONERY OFFICE.

1862.

5

P A P E R S

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

Presented to both Houses of Parliament by Command of Her Majesty,
31st May 1866.



L O N D O N :

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

FOR HER MAJESTY'S STATIONERY OFFICE

[*Price 6d.*]

1866.

SCHEDULE.

Number in Series.	From whom.	Date and Number.	SUBJECT.	Page.
1	The Duke of Newcastle to Governor Sir J. Douglas.	26 May 1863 - (Separate.)	States that the Act for the Government of British Columbia will be continued for a year, and enclosing Draft Order in Council, constituting the Legislative Council.	1
2	Ditto ditto	15 June 1863 - (Separate.)	Constitutional arrangements for Vancouver Island and British Columbia.	1
3	Ditto ditto	14 July 1863 - (No. 35.)	Ditto Ditto.	4
4	Ditto ditto	1 August 1863 - (Separate.)	Instructions to the Governor, appointing certain officers to be Members of the Legislative Council in British Columbia.	5
5	Mr. Secretary Cardwell to Governor Kennedy.	30 April 1864 - (No. 2.)	On the subject of the Resolution of the House of Representatives of Vancouver Island to decline to pass the Civil List Act proposed in the Duke of Newcastle's Despatch, Separate, of the 15 June 1863.	5
6	Governor Kennedy to Mr. Secretary Cardwell.	21 March 1865 - (No. 14.) (Separate.)	Reporting Resolution of Legislative Assembly in favour of Union with British Columbia.	6
7	Ditto ditto	21 March 1865 - (No. 15.) (Separate.)	Transmitting Resolutions of the Chamber of Commerce.	13
8	Ditto ditto	21 March 1865 - (No. 16.) (Extract.)	Governor Kennedy's views on the proposed Union.	19
9	Governor Seymour to Mr. Secretary Cardwell.	21 March 1865 - (No. 30.)	Resolutions of the Chamber of Commerce of Victoria.	20
10	Ditto ditto	29 March 1865 - (Separate.)	Forwarding Petition to Governor from Miners of Cariboo, and Governor's reply.	30
11	Governor Kennedy to Mr. Secretary Cardwell.	1 December 1865 (No. 92.)	Transmitting Petition praying for continuance of Free Port Policy.	30
12	Ditto ditto	16 December 1865 (No. 97.) (Separate.)	Resolutions of the Assembly on the Union.	33
13	Mr. Secretary Cardwell to Governor Kennedy.	1 February 1866 (No. 6.)	Acknowledging the receipt of the Memorial contained in Governor's Despatch, No. 92, of the 1st December 1865.	34
14	Governor Seymour to Mr. Secretary Cardwell.	17 February 1866	Governor Seymour's views on the proposed Union.	34
15	Officer administering the Government of British Columbia to Mr. Secretary Cardwell.	3 March 1866 - (No. 16.)	Transmitting Petition to the Queen for Union of the Two Colonies.	42

P A P E R S

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

No. 1.

No. 1.

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor
Sir JAMES DOUGLAS, K.C.B.

(Separate.)

SIR,

Downing Street, May 26, 1863.

As the Act for the Government of British Columbia will expire at the end of the present session of Parliament I think it necessary to inform you of the course which it is my intention to pursue with respect to the future administration of that Colony.

I shall, in the first place, propose to Parliament a Bill continuing the present Act for another year, and annexing to British Columbia what is at present the Stekeen territory.

I shall also submit to Her Majesty an Order in Council, constituting a Legislative Council in British Columbia, in pursuance of the 3rd section of the Act of 22 Vict. cap. 99. The power of nominating the members of this Council will, in the first instance, be vested in the Governor, but I wish it to be so exercised as to constitute a partially representative body, capable of making the wishes of the community felt, and calculated to pave the way for a more formal, if not a larger introduction of the representative element. I shall of course make you more fully acquainted with my views in this respect hereafter; but I think it best to communicate to you confidentially the draft of an Order in Council, which I have caused to be prepared, but which may possibly be altered in some of its details before it is finally passed.

Governor Sir J. Douglas, K.C.B.
&c.

I have, &c.
(Signed) NEWCASTLE.

No. 2.

No. 2.

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor
Sir JAMES DOUGLAS, K.C.B.

(Separate.)

SIR,

Downing Street, June 15, 1863.

I HAVE long had under my consideration the various questions which have arisen respecting the form of Government which should be adopted in British Columbia and Vancouver Island; and I have now to communicate to you the decision at which I have arrived.

I should have much desired, if it had been possible, that these two Colonies should have formed one Government. I feel confident that economy and efficiency would be promoted, that commerce would be facilitated, that political capacity would be developed, that the strength of the Colonies would be consolidated, and generally that their well-being would be greatly advanced by such an union; and I hope that moderate and far-seeing men in both communities will be convinced of this, and will bear in mind the expediency of avoiding or removing all that is likely to impede, and favouring all that is

likely to facilitate such a result. But I am aware that the prevailing feeling is at present strongly adverse to such a measure, and in deference to that feeling I am prepared to take steps for placing them under different Governors, so soon as proper financial arrangements are made for the permanent support of the Government.

With regard to Vancouver Island I think that a permanent Act of the Legislature should be passed, securing to the principal officers of the Government salaries at the following rates, which the importance of the Colony and the prospects of its revenue appear to render no more than fitting:—

			£
Governor	-	-	3,000
Chief Justice	-	-	800—(to be 1,200/ when a lawyer is appointed.)
Colonial Secretary	-	-	600
Attorney General	-	-	300, with practice.
Treasurer	-	-	600
Surveyor General	-	-	500

The initiation of all money votes should also be secured to the Government.

When this is done I am prepared to hold the Crown revenue of Vancouver Island at the disposal of the Legislature of that Colony, retaining only such temporary power over the land as will enable Her Majesty's Government to close its transactions with the Hudson's Bay Company. When this is effected I shall be ready to transfer the management of the revenue to the Colonial Legislature.

With regard to British Columbia, adverting to the magnitude of the colonial interests and to the steady progression of the local revenue, I should wish you at once to proclaim a permanent law enabling Her Majesty to allot salaries to the Government officers of British Columbia at the following rates:—

				£
Governor	-	-	-	3,000, with a suitable residence.
Chief Justice	-	-	-	1,200
Colonial Secretary	-	-	-	800
Attorney General	-	-	-	500, with practice.
Treasurer	-	-	-	750
Commissioner of Lands and Surveyor General	-	-	-	800
Collector of Customs	-	-	-	650
Chief Inspector of Police	-	-	-	500
Registrar of Deeds	-	-	-	500

It will then follow to give effect to the enclosed Order in Council, which Her Majesty has been pleased to issue, in order to prepare the way for giving the inhabitants of the Colony a due influence in its government. I should have wished to establish there the same representative institutions which already exist in Vancouver Island; and it is not without reluctance that I have come to the conclusion that this is at present impossible.

It is, however, plain that the fixed population of British Columbia is not yet large enough to form a sufficient and sound basis of representation, while the migratory element far exceeds the fixed, and the Indian far outnumbers both together.

Gold is the only produce of the Colony, extracted in a great measure by an annual influx of foreigners. Of landed proprietors there are next to none, of tradesmen not very many, and these are occupied in their own pursuits at a distance from the centre of Government, and from each other. Under these circumstances I see no mode of establishing a purely representative Legislature, which would not be open to one of two objections. Either it must place the Government of the Colony under the exclusive control of a small circle of persons naturally occupied with their own local, personal, or class interests, or it must confide a large amount of political power to immigrant, or rather transient foreigners, who have no permanent interest in the prosperity of the Colony.

For these reasons I think it necessary that the Government should retain for the present a preponderating influence in the Legislature. From the best information I can obtain I am disposed to think it most advisable that about one-third of the Council should consist of the Colonial Secretary and other officers who generally compose the Executive Council, about one-third of magistrates from different parts of the Colony, and about one-third of persons elected by the residents of different electoral districts.

But here I am met by the difficulty that these residents are not only few and scattered, but (like the foreign gold-diggers) migratory and unsettled, and that any definition of electoral districts now made might, in the lapse of a few months, become wholly inapplicable to the state of the Colony. It would, therefore, be trifling to attempt such a definition, nor am I disposed to rely on any untried contrivances which might be suggested for supplying its place—contrivances which depend for their success on a variety of circumstances, which, with my present information, I cannot safely assume to exist.

I have, therefore, thought it most advisable to have recourse in British Columbia to the tried machinery of a Legislative Council, with the intention, however, that the appointments to that Council, which by the enclosed Order you are authorized to make, shall be made, if not in exact accordance with the outline which I have traced, yet at any rate with the object of securing that at least one-third of the councillors shall be persons recognized by the residents in the Colony as representing their feelings and interests. By what exact process this quasi-representation shall be accomplished, whether by ascertaining informally the sense of the residents in each locality, or by bringing the question before different public meetings, or (as is done in Ceylon) by accepting the nominee of any corporate body or society, I leave you to determine. I also leave it you to determine the period for which (subject to Her Majesty's pleasure, which involves a practical power of dissolution,) the councillors should be appointed. What I desire is this: that a system of virtual though imperfect representation shall be at once introduced, which shall enable Her Majesty's Government to ascertain with some certainty the character, wants, and disposition of the community, with a view to the more formal and complete establishment of a representative system as circumstances shall admit of it.

I shall hold the proceeds of the Crown lands at the disposal of the Legislative Council, who will also be at liberty to pass laws for the regulation and management of these sources of revenue, subject of course to disallowance in this country, and subject also to the qualification which I have mentioned as indispensable in Vancouver Island, viz., that the Crown must retain such legal powers over the lands as are necessary for disposing of all questions (if any) which remain to be settled with the Hudson's Bay Company—questions which, without such uncontrolled power, might still be productive of embarrassment.

With these explanations, I have to instruct you, first, to proclaim a law securing to Her Majesty the right to allot the above salaries to the officials of British Columbia; and having done so, to give publicity to the enclosed Order in Council, and to convene as soon as possible the proposed Legislature.

Order in
Council.

Governor Sir J. Douglas, K.C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Enclosure in No. 2.

BRITISH COLUMBIA.

Encl. in No. 2.

At the Court at Windsor the 11th day of June 1863.

PRESENT:

The Queen's Most Excellent Majesty.
Lord President. Earl Russell. Lord Privy Seal. Mr. Milner Gibson.

WHEREAS by an Act passed in the twenty-second year of the reign of Her Majesty, entitled "An Act to provide for the Government of British Columbia," it was declared lawful for Her Majesty, by Order in Council, to authorize and empower such officer as she might from time to time appoint to administer the Government of British Columbia, to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as might be necessary for the peace, order, and good government of Her Majesty's subjects and others therein; provided that it should be lawful for Her Majesty, as soon as She might deem it convenient by any such Order in Council as aforesaid, to constitute, or to authorize and empower such officer to constitute a Legislature, to make laws for the peace, order, and good government of British Columbia, such Legislature to consist of the Governor or Officer administering the government of the Colony, and a Council or Council and Assembly to be composed of such and so many persons, and to be appointed or elected in such manner, and for such periods, and subject to such regulations as to Her Majesty might seem expedient: And whereas by an Order in Council bearing date on the 2nd day of September in the year 1858, Her Majesty was pleased to authorize such Governor or Officer as aforesaid to make provision for the administration of justice, and as therein mentioned to make laws and ordinances for the peace, order, and good government of Her Majesty's subjects and others in the said Colony: And whereas it is expedient to revoke the said Order in Council, and to constitute a Legislature for the

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

said Colony, consisting of the Governor or Officer administering the government thereof, and the Legislative Council herein-after established.

1. It is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, and in pursuance and exercise of the powers vested in Her Majesty by the said Act of Parliament, or otherwise in that behalf, that the said recited Order in Council shall be and the same is hereby revoked: Provided always, that nothing herein contained shall be held to invalidate any act or thing done, nor any appointment made in pursuance or under authority of the said Order in Council, but that every such act, thing, and appointment shall remain of the same force and effect as if the said Order in Council were still in operation.

And it is hereby further ordered as follows, that is to say:

2. In this Order in Council the term Governor shall mean the officer for the time being lawfully administering the government of the Colony of British Columbia.

3. There shall be in the said Colony a Legislative Council constituted as herein-after mentioned.

4. It shall be lawful for the Governor, with the advice and consent of the said Legislative Council, to make laws for the peace, order, and good government of the said Colony.

5. The said Council shall consist of such public officers within the said Colony as shall from time to time be designated, and of such persons as shall from time to time be named by or in pursuance of any instructions or warrant under the Royal sign manual and signet, and of such other persons as may from time to time be appointed by the Governor by instruments to be passed under the public seal of the said Colony: Provided that every such last-mentioned appointment shall be provisional only until the same shall have been approved by Her Majesty through one of Her Principal Secretaries of State, and may be made to determine at a period named in the instrument making the same, and that the total number of councillors shall not by any such appointment be raised above the number of 15: Provided also, that every member of the said Council shall hold office during Her Majesty's pleasure only.

6. The precedence of the members of the said Council may be from time to time determined by any such instructions as aforesaid. In the absence of such determination, the members shall take rank according to the order of their appointment, or if appointed by the same instrument according to the order in which they are named therein.

7. The Governor, or in his absence any member of the Council appointed by him in writing, or in default of such appointment, the member present who shall stand first in order of precedence, shall preside at every meeting of the said Council. All questions brought before the Council shall be decided by the majority of the votes given, and the Governor or presiding member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

8. No business (except that of adjournment) shall be transacted unless there shall be present four members of Council besides the Governor or presiding member.

9. The Council shall, in the transaction of business and passing of laws, conform as nearly as may be to the directions conveyed in that behalf to the Governor of British Columbia in certain instructions under the sign manual and signet bearing date the 2nd day of September 1858, until otherwise provided by us, and to such further instructions under the said sign manual and signet as may hereafter be addressed to the Governor in that behalf.

10. Subject to such instructions the Council may make standing rules and orders for the regulation of their own proceedings.

11. No law shall take effect until the Governor shall have assented to the same on behalf of Her Majesty, and shall have signed the same in token of such assent.

12. Her Majesty may, by Order in Council, or through one of Her Principal Secretaries of State, disallow any law passed by the said Governor and Council at any time within two years after such law shall have been received by the Secretary of State, and every law so disallowed shall become null and void so soon as the disallowance thereof shall be published in the Colony by authority of the Governor.

13. If any councillor shall become bankrupt or insolvent, or shall be convicted of any criminal offence, or shall absent himself from British Columbia for more than three months without leave from the Governor, the Governor may declare in writing that his seat at the Council is vacant, and immediately on the publication of such declaration, he shall cease to be member of the Council.

14. The Governor may, by writing under his hand and seal, suspend any legislative councillor from the exercise of his office, proceeding therein in such manner as may from time to time be enjoined by any such instructions as aforesaid, and until otherwise ordered according to such directions respecting the suspension of public officers as are contained in the above-mentioned instructions bearing date the 2nd day of September 1858. And the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS.

No. 3.

No. 3.

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor
Sir JAMES DOUGLAS, K.C.B.

(No. 35.)

SIR,

Downing Street, July 14, 1863.

I THINK it best to inform you that I am about to submit for Her Majesty's approval certain instructions appointing the following officers to be members of the Legislative Council in British Columbia.

The Colonial Secretary.
The Attorney General.
The Treasurer.

The Chief Commissioner of Lands and
Works.
The Collector of Customs.

I think it also advisable to point out that as doubts may be entertained respecting the binding authority of any proclamation issued by you subsequently to the date of the Order in Council constituting a Legislative Council (viz., the Colonial Secretary, the Attorney General, the Treasurer, the Chief Commissioner of Lands and Works, and the Collector of Customs,) your first step in convening the Council should be to re-enact in the form of an Ordinance any proclamation or proclamations which you may have issued after the above date, including the proclamation (if any) by which you may have paid the salaries of public officers.

Governor Sir J. Douglas, K.C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE

No. 4.

No. 4

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor
Sir JAMES DOUGLAS, K.C.B.

(Separate.)

SIR,

Downing Street, August 1, 1863.

WITH reference to my Despatch, No. 35* of the 14th ultimo, I transmit to you herewith instructions † under the Queen's sign manual and signet, appointing the following officers, viz.:

* Page 4.

† Not printed

The Colonial Secretary,
The Attorney General,
The Treasurer,
The Chief Commissioner of Lands and Works,
The Collector of Customs,

to be members of the Legislative Council of British Columbia.

Governor Sir J. Douglas, K.C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to Governor
KENNEDY, C.B.

(No. 2.)

SIR,

Downing Street, April 30, 1864.

I HAVE received Sir James Douglas's Despatch No. 3, of the 12th of February, enclosing a Resolution of the House of Assembly of Vancouver Island, in which the House declines to pass the Civil List Act proposed in the Duke of Newcastle's Despatch marked "Separate," of the 15th June last.‡

‡ Page 1.

I regret that the House of Assembly did not feel able to concur in the proposals submitted to it on this subject.

I am desirous, however, to prevent as far as possible the disappointment and inconvenience to individuals which this decision might occasion.

It appears from the Resolution of the Assembly that the Crown land fund for the year 1863 amounted to 4,500*l.*, but that a considerable portion of this sum consisted of the proceeds of sales effected in former years. There may be sources of revenue, such as fines and forfeitures, fees of office, the proceeds of which the Crown could justly appropriate, but in the absence of any precise information on this head I can only authorize you to issue warrants for the payment of the salaries of the Governor and the Colonial Secretary, at the respective rates of 3,000*l.* and 600*l.* per annum assigned to them by my predecessor, out of any funds which may be under the direct control and at the disposal of the Crown.

It will of course rest with the Legislature to make provision for the remuneration of the other officers employed under the Government in any way and from any source which may seem most appropriate to them.

Besides the Civil List, Sir James Douglas's Despatch raises a still larger and more important question, namely, the union of both Colonies under one Governor, though with some distinct administrative department.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

On this subject I am desirous of having the benefit of your views as soon as you shall have acquired on the spot sufficient experience and knowledge to enable you to form your opinion, and to supply reliable information for the assistance and guidance of Her Majesty's Government in considering the question. I shall in like manner ask Governor Seymour, to whom I shall communicate a copy of this Despatch, to furnish his views on the same matter, and I need scarcely say that it will not only be unobjectionable but highly desirable, that you and he should consult freely on the subject, although it will be the most convenient course that, ultimately, each should report to me independently, the conclusions which he may form on the subject.

Governor Kennedy, C.B.,
&c. &c.

I have, &c.
(Signed) EDWARD CARDWELL.

No. 6.

No. 6.

COPY of a DESPATCH from GOVERNOR KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 14. Separate.)

SIR,

Victoria, March 21, 1865.

(Received May 15, 1865.)

27th Jan. 1865.

I HAVE the honour to transmit a copy of Resolutions passed by the Legislative Assembly of Vancouver Island on the subject of union with British Columbia, and in doing so I will shortly trace their history.

They were introduced by Mr. De Cosmos, one of the members for Victoria, and passed on the 27th January 1865, after a warm debate, by a majority of 8 to 4.

It was thereupon alleged by the minority that the majority did not fairly represent public opinion, and to test this fact, Mr. De Cosmos, who proposed, and Mr. C. B. Young, who opposed the resolutions (being two members for the city of Victoria), agreed to resign their seats, and went before their constituents for re-election, which resulted in the return of Mr. De Cosmos and Mr. McClure, both advocates of union and a tariff, by a large majority.

The majority of the House of Assembly in favour of *unconditional* union with British Columbia is now, I believe, 11 to 4, and I have no doubt that a dissolution of the House would undoubtedly increase that majority by two more.

I submitted these resolutions to the Legislative Council for their information, and the majority present being *ex officio* members, resolved that it was inexpedient for the Council to express any opinion on the subject; but two dissenting members, Messrs. Finlayson and Rhodes, recorded their views in the protest herewith.

I am in a position to know that the majority if not *all* the *ex officio* members are in favour of union, with some small differences of opinion on matters of detail, and that they refrained from a public expression of their opinion from a desire to avoid possible complication, and with a view to giving their untrammelled support to such measures as Her Majesty's Government may deem most fitting, on a future occasion.

The local Legislature of Vancouver Island have thus, I think, adopted the only course by which the union of these Colonies can be satisfactorily effected, namely, leaving conditions and details, even to the form of government, to your decision.

Enclosure.

* Page 5.

I enclose newspaper copies of the debates on the subject, and will reserve my further observations for another Despatch of this date, in reply to yours dated 30th April 1864,* No. 2.

Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

I have, &c.
(Signed) A. E. KENNEDY.

Encl. 1 in No. 6.

Enclosure 1 in No. 6.

VANCOUVER ISLAND.

RESOLUTIONS REPORTED FROM COMMITTEE, 25th January 1865; CONFIRMED BY HOUSE,
27th January 1865.

Resolved,

That this House, after having taken into consideration the present state of the Colony, is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public service. And that the immediate union

of this Colony with British Columbia, under such Constitution as Her Majesty's Government may be pleased to grant, is the means best adapted to prevent permanent causes of depression, as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity; and this House pledges itself, in case Her Majesty's Government shall grant such union, to ratify the same by legislative enactment, if required.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

Resolved,—

That the above resolution be transmitted to his Excellency the Governor, with the respectful request that he may take the same into his earnest and immediate consideration.

(Signed) R. W. TORRENS,
Clerk of the House.

Enclosure 2 in No. 6.

Encl. 2 in No. 6.

VANCOUVER ISLAND.

EXTRACT from the MINUTES of the LEGISLATIVE COUNCIL, 2nd March 1865.

Mr. Finlayson, pursuant to notice, introduced the following resolutions, which were seconded by the Hon. Henry Rhodes:—

1. That Her most Gracious Majesty may be requested to annex the Colony of Vancouver Island to the Colony of British Columbia.

2. That Her most Gracious Majesty may be pleased to direct the passage of an Act of the Imperial Parliament to provide a constitutional mode of Government, with representation on the basis of population to the British possessions in the North Pacific.

The Treasurer handed in the following amendment to the proposed resolutions of the Hon. R. Finlayson:—

“That this Council regards it as undesirable to express an opinion as to the expediency or otherwise of uniting the Colonies of Vancouver Island and British Columbia.”

The chairman having put the amendment of the Treasurer, the following were the Ayes and Noes:—For the amendment—The Acting Colonial Secretary, the Acting Attorney General, the Treasurer, the Acting Surveyor General. Against the amendment—The Hon. R. Finlayson, the Hon. Henry Rhodes.

Amendment carried.

The Hon. Henry Rhodes gave notice that he would hand in a protest against the resolution.

Enclosure 3 in No. 6.

Encl. 3 in No. 6.

VANCOUVER ISLAND.

EXTRACT from the MINUTES of the LEGISLATIVE COUNCIL, 6th March 1865.

The Hon. Henry Rhodes handed in the following protest, which was ordered to be placed on the minutes:—

To the Honourable the President of the Legislative Council.

We, the undersigned, being the only unofficial members of the Legislative Council present at the meeting on the 2nd instant, and being merchants in the city of Victoria, do protest against the resolution of the Legislative Council in regard to the union resolutions which then came up for discussion.

Because,

1st. The resolution—“That the Council regard it as undesirable to express an opinion as to the expediency or otherwise of uniting the Colonies of Vancouver Island and British Columbia” was carried by the official members of the Council only, who are at all times the majority of the said Council.

2nd. We consider it unwise and impolitic to postpone indefinitely the consideration of the subject, for the reason that we know the feeling of the Colony to be in favour of union of the Colonies, and that since the question has been so thoroughly considered recently and the entire community agitated upon the subject, the present is the most desirable time for decisive action in the matter.

That the postponement of the settlement of the question will greatly disturb commerce, prevent enterprise, and do much injury to both Colonies, while on the other hand the sooner the question is settled the better it must be for all the interests of both Colonies.

(Signed) HENRY RHODES,
RODOLPH FINLAYSON.

Enclosure 4 in No. 6.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

HOUSE OF ASSEMBLY, Wednesday, January 25th.

House met at 3.15 p.m. Members present—Messrs. De Cosmos, Franklin, Young, Trimble, Tolmie, Dickson, Southgate, Duncan, Cochrane, Burnaby, Carswell, Bayley, Dennes.

State of the Colony.

Encl. 4 in No. 6.

Mr. De Cosmos said he would ask that the committee have leave to consider the internal condition of the Colony.

Mr. Burnaby asked the hon. senior member for Victoria to lay before the House the resolutions he had prepared.

Mr. De Cosmos replied that he was then re-writing them.

Mr. Young said a great deal of irrelevant matter had been delivered in the House on this question of the state of the Colony. The state of the Colony was all right, but the state of some men's heads was all wrong. The great want in the Colony was population. (Hear, hear.) As for the revenue he was vain enough to assume the reins of Chancellor of the Exchequer for the moment, and show how it might be raised by a proper system of taxation. A great deal had been said about a tariff, but we would see what good it would do. The hon. gentleman alluded to lumberers not being benefited by a tariff, nor tailors and shoemakers, &c., who had now as much as they could do; he also alluded to a brewer who was the greatest protectionist in the Colony, but who would not get his grain any cheaper with a 20 per cent. tariff. The position of this Colony was such as to make it a great commercial emporium, and it was such already. It was asked how we were to get the gold of British Columbia. Why, by going to dig it out, as so many of our people did. As to the estimates asked for, if we thought them too large, all we had to do was not to vote them; and he could not see any reason why they should be larger this year than last. As to customs, the cost of collecting would be enormous, to prevent the smuggling, for which such great facilities were afforded by our numerous bays and inlets. What was to hinder our farmers from competing with foreign farmers? Why, because they had not the land. This was destined to be a mineral country, not an agricultural. He could not see in any way how this Colony was to be benefited by taxation. If a man pays 20 per cent. more taxation, how can it benefit him? Suppose a man paid \$10 for a coat last year, and this year has to pay \$12 for the same, what is his advantage? He thought \$150,000 could be struck off the estimates very easily, by dispensing with lazy clerks who did nothing, and constables who played euehre in public houses and such like. He certainly could not see the benefits of a tariff, and would, therefore, do all he could to oppose it.

Mr. De Cosmos submitted the following resolutions to the committee—

RESOLVED:—

That this House, after having taken into consideration the present state of the Colony, is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public service; and that the immediate union of this Colony with British Columbia, under such constitution as Her Majesty's Government may be pleased to grant, is the means best adapted to prevent permanent causes of depression, as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity; and this House pledges itself, in case Her Majesty's Government shall grant such union, to ratify the same by legislative enactments if required.

RESOLVED,—

That the above resolution be transmitted to his Excellency the Governor, with the respectful request that he may take the same into his earnest and immediate consideration.

Mr. Burnaby said he had hailed the resolutions with satisfaction on their first appearance as connected with the consideration of the estimates. These estimates were, he must confess, rather startling in amount in proportion to the revenue of the Colony. (Much of this hon. gentleman's speech was inaudible at the reporter's table.) He was sorry to hear some people, who had formerly held different opinions, say that, even if the country stood alone as a separate Colony the system of taxation must be changed and a tariff imposed (no, no). If we stand alone as a Colony we must stand in a respectable and honourable position before the world. We must pay our Governor's salary, and maintain a proper establishment. We must persist in our system of direct taxation. He was free to admit that taxation here was very unequally divided, and would wish to see it arranged so as to touch all classes; but if we stood alone we must have direct taxation (hear, hear). Some two years ago at the general election a pledge was exacted from nearly every hon. member of this House in favour of the free port, and they could not have got in without it. At that time also the union question had come up, and he (Mr. Burnaby) had entertained and expressed the views that we were not prepared for union. His views of that date as to the free port and union were unchanged, and his faith in the resources of the Colony were still as strong as ever. Since that period gold had been discovered on the Island; it had got to be developed, but it was here beyond a doubt. Again the new district of Kootenay in British Columbia was pronounced to be highly productive. We had been told that the free port was a failure. He respectfully demurred to that proposition. True a great depression had existed here for some time. During the whole of last year a most severe financial pressure had been felt in England. In California, in addition to drought and hard winter, a severe prostration had occurred in mining affairs. Again in British Columbia vast sums had been expended in works, trade, mining, &c., which had not produced as yet the remuneration which was expected. All this had, to a certain extent, caused a temporary depression, and he was sorry to say that the temporary stagnation and depression had been turned to a bad account by what he might term a sort of assiduous journalism. The free port had been gradually and cautiously attacked during the last nine months. The attack commenced first by letters in the papers, followed by sly insinuations against the policy of free trade; the country had to be inoculated with the feeling, and he must admit it had been well and skilfully done. All the troubles and depression in the Colony had been carefully attributed to it, and now the remedy proposed was the imposition of a tariff. This change in public opinion, which the hon. senior member for Victoria dignified by the title of a great revolution, he

maintained was made without reason. The hon. member who had introduced the resolution had dwelt at some length on the danger of our present position; that in ourselves we had no resources outside the trade of British Columbia, and no position of importance (hear, hear). Those engaged in trade here had been taunted that they had not properly developed the trade and commerce of the country. He would remind hon. gentlemen that the action of the House was the best proof of the wisdom of our merchants in not accepting the free port as a fixed and permanent fact. The free port required to be firmly established before our merchants would import large stocks of goods suitable for distant and foreign markets; they could not be expected to do so, if they thought they would be liable to a duty in six months or a year. So long as there was a possibility of a change in the public mind on the free port, much would not be done towards making this a great distributing centre. The House had two positions before it: one was that of absolute independence coupled with a free port, and a resolution to carry out the policy at all costs and every risk and in a dignified manner, trusting to the hope afforded by our geographical position that we would ultimately become a great distributing port. He took his stand on the free port, and he would continue to stand on that policy so long as the country would support him. This was the opinion of all the merchants in the community and of our neighbours in California. He did not fear the imposition of a differential duty of 7 or 10 per cent. by British Columbia. If necessary, our merchants here could establish branches at New Westminster, but here was the *depôt*, the open free port, the *locus standi* of the capital. If the country should decide to give up the free port there was no alternative but unconditional union; he was not too proud to call it annexation (hear, hear). It was simply saying to British Columbia, we are not strong enough to stand alone, come and help us. But before we decided on this question in the House let us request his Excellency to appeal to the country; let us be sure that the country stands with us in a matter so vital to the well-being of the Colony. He did not propose to go into the arguments for protection to industry. The idea was exploded long ago. As to British Columbia being our greatest market, he had always held that she was far more indebted to us; nine-tenths of all the enterprise, capital, energy, expended in that Colony had come from here, and nine-tenths of all the results had come back here.

Mr. Duncan.—Yes, and gone through here. (Laughter.)

Mr. Burnaby, if this House should decide to adopt the resolutions he hoped they would appeal to his Excellency to dissolve the House, and go before their constituents to hear the views of the country. (General cries of hear, hear.)

Dr. Helmcken said it seemed to be expected that he should declare himself (applause), and he admitted that the public had a right to know who he was as much as he had to have an opinion of himself. He believed that the Colony was suffering under great depression at present, and he was convinced that it was caused by overtrading. Cariboo had turned out far less gold than had been expected, and miners had returned with less gold. There had been no returns for the money expended in mining. That he looked on as a temporary difficulty. But the great cause of the depression was the vast amount of accommodation afforded to traders by our merchants. The goods were either locked up in the mines or sold at a great loss. A great deal of capital had been locked up also in quartz and copper mines. This, however, he looked on as also a temporary suffering, and he fully expected we would recover from it in time. It was not alone here that the unemployed men who had been alluded to were to be found. In California it was just as bad, and from similar causes. One might almost stop here, and say that if the depression was only temporary it would soon be got over. But other topics had been entered on. It had been said that the depression had been caused by our neglecting to foster local industries. This he totally denied (hear, hear). For himself he was still as much in favour of free trade as ever. He did not consider free trade had anything whatever to do with the present depression (hear, hear). They were told that of the \$4,000,000 of imports about \$1,000,000 was left for local consumption. It seemed to him singular that our consumption was only \$1,000,000 with a population larger than that of British Columbia, which consumed nearly \$2,000,000. He could only assume from that that the production of Vancouver Island with free trade was greater than the production of British Columbia with protection. His own impression was that free trade was the best policy, both hitherto and still (hear, hear). The next subject was union of the two Colonies. His opinion was that union with British Columbia and free trade in Vancouver Island would conduce to the best interests of both Colonies (hear, hear), and also be a very large saving in expense. Unfortunately our neighbours did not see it in the same light. Free trade, as it hitherto existed, had kept the trade of British Columbia in the possession of Vancouver Island. He did not think we were likely to have any great extension of trade to any other of the surrounding countries, to India, or China, or Mexico. He did not believe in any such extension. There was no doubt union was the great thing to be aimed at, and that free trade in Vancouver Island was the best policy, but let us unite with British Columbia unconditionally (hear, hear), unconditionally (applause), with one single exception, that the laws of Vancouver Island should remain unchanged till altered by the United Legislature, and he felt sure that the arguments which would be brought forward in the United Legislature would prove that free trade in Vancouver Island was the best policy for both Colonies. In any case the great good would be attained,—the Colonies united (hear, hear). But if the Colonies were to be separate, the only thing to be done was for each man to strip "to the buff" if necessary, and fight to the death for the free port (hear, hear). As to protection for agriculture in this Colony, he was convinced it was not required. In British Columbia, where there was greater protection than anywhere else in the world, agriculture had not progressed.

Mr. De Cosmos. It has; a great deal.

Dr. Helmcken continued that this Colony had not the land for agriculture, but British Columbia had, and the two united would combine their respective agricultural and commercial advantages in one. He repeated his position, united with British Columbia and with free trade in Vancouver Island, or united, at any rate, and still keeping the commerce of British Columbia, which our natural position ensured to us; or if separate from British Columbia, then free trade in every sense. These were his views. But he would not go to the British Columbians like a mendicant, rather would he vote for eternal separation than go to beg a thing which was a mutual benefit. As to our foreign trade, he would sacrifice all the trade with surrounding nations to unite the two peoples and make one great country.

Dr. Tolmie would wish to add a few remarks. It was not always best to buy in the cheapest and sell in the dearest markets. Free trade was not always the policy of great countries. Great Britain had

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

grown rich and powerful by protection. In the United States the question had been thoroughly argued, and the United States had gone on protecting their industries, and at the same time increasing their population and rapidly augmenting their wealth. We, ourselves, had given the thing a noble trial of six years, and although he would not say it had done no good, still he thought the time was past for free trade, and the country demanded protection. Take the familiar example of the saw mill, quoted yesterday, (a laugh). He had seen the working of saw mills under protection on Puget Sound, and had seen their beneficial effects in building up the country. Our geographical position, which had been so much talked about, and praised in the "*Times*" so early as 1849, would be best brought out and developed by union with British Columbia, and by going into connexion with the great federation of the eastern Colonies (applause).

Dr. Helmcken said there was no doubt whatever that even if we should remain separate we could raise all the revenue we required (hear, hear). He had not a doubt of it.

Mr. Bayley said the present state of the Colony was one of insolvency (no, no, and laughter). He maintained that this was the case, and it had been caused by the falling off in gold and the over-speculation in real estate. He held that the trade of Victoria was dependent on British Columbia and not on the phantom trade with foreign countries which had been held up so long before our eyes. He had stood up in the House and opposed union with British Columbia, but that was because he had been led to look at this country as the Great Britain of the Pacific. He had now seen reason to change his opinion. He looked on Victoria as reduced to a mere shopkeeper (a laugh), who had to depend on British Columbia to buy her wares. The moment that British Columbia was able to buy for herself from the manufacturers and producers, what were we to do with our goods? Our warehouses would be full, but no one to be purchasers, that was the state to which we were fast coming unless we adopted a different policy.

Dr. Dickson said he had no fears about our ability to exist as a separate Colony; but union was strength, and he was fully satisfied that a complete and thorough union was for the best interests of both Colonies (hear, hear). He had taken the trouble to see the great majority of his constituents, and had also heard the opinions of a great number of the inhabitants of the city, and he had come to the firm conclusion that nineteen-twentieths of the whole population were thoroughly and strongly in favour of union, and that they expected the House to take active steps to bring it about. Hon. members might depend on it, too, that if they did not move in the matter their constituents would soon turn them out and get in better men.

Mr. Franklin said he now found resolutions on the table, which had been ruled in order, opening up the question of union. The question of union had already been settled; British Columbia had rejected our offers, and we were now asked to go on bended knee and pray for a union. He had been returned to this House on free trade principles, and he could not give a vote on the question without going before his constituents, and he thought every honourable member was bound in honour to follow the same course. He was unprepared to abandon the policy of this country and to adopt unconditional union, and he felt sure that was the general opinion of the country (laughter).

Dr. Helmcken said hon. members had said that the union of the Colonies had been rejected by British Columbia. He denied it entirely (applause).

The Legislature of British Columbia had never taken the resolution of this Legislature into consideration at all (hear, hear). He felt sure the British Columbia Legislature would not be guilty of such discourtesy as to throw our resolutions over without an answer (hear, hear). The question had evidently never been considered, as we never have had an answer (applause).

Mr. Southgate said if he could see his way clear to a union which would preserve free trade in Vancouver Island he would heartily support it, but he did not see how it could be brought about. He alluded to his recent visit to San Francisco, and to the interest felt by merchants there in our free port.

The resolutions were then put *seriatim*, and the first section carried unanimously.

Section 2 was also carried.

Ayes—De Cosmos, Helmcken, Tolmie, Dickson, Duncan, Cochrane, Carswell, Dennes (8).

Noes—Franklin, Young, Burnaby, Trimble, Southgate (5).

Section 3 was also carried by the same vote.

On section 4, M. Burnaby moved the following amendment:

That in view of the resolutions passed by this House, and adverting to the pledges given by hon. members at their election on the subject of the free port, respectfully requests that his Excellency will dissolve this House and submit the question to the country.

The amendment was lost, and the original resolution carried by the previous majority—8 to 5.

The committee rose and reported the passage of the resolutions, and the Speaker informed the House that they would come up for adoption on Friday next.

LEGISLATIVE ASSEMBLY.

Friday, Jan. 27, 1864.

House met at 3.20 p.m. Present, The Speaker, and Messrs. Burnaby, Young, Tolmie, Franklin, Powell, Dickson, Duncan, Dennes, Carswell, De Cosmos, Bayley, Cochrane, and Southgate.

Petition of Chamber of Commerce.

Mr. Burnaby, on leave, presented a petition from the Chamber of Commerce of this city. It reads as follows, and was laid on the table:

To the Honourable the Speaker and Members of the Legislative Assembly of Vancouver Island.

The humble Petition of the Members of the Victoria Chamber of Commerce, Sheweth,

That your petitioners, having had under their serious consideration the subject now under discussion in your Honourable House, and which being of vital importance to the welfare of this Colony, is also engaging the marked attention of all classes of the community, viz.: the maintaining of Victoria as a free port and raising the necessary revenue for carrying on the Government by direct taxation, or abolishing the free port and raising the required revenue by imposing duties on importations; beg re-

spectfully to present for the consideration of your honourable body the following resolutions passed by them at a meeting held this day:

Your petitioners therefore humbly pray that your Honourable House will take such action as will maintain the free port in all its present integrity.

RESOLVED,—

1. That, in the opinion of the Victoria Chamber of Commerce, the maintenance of the Free Port system is of vital importance to the prosperity of Victoria and of Vancouver Island.
2. That commerce should not be subjected to any species of restraint, because freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country.
3. That the adoption of a protective tariff would be detrimental to the commercial interest of the Colony without benefit to the farmer or manufacturer.
4. That a tariff for revenue would necessitate such an outlay of expenditure for the collection of the duties that it would not answer the requirements of the Government, and would inflict a heavy loss on the commerce of Victoria.
5. That direct taxation is the only politic and equitable mode of raising a revenue.
6. That a general system of taxation by which all classes of the community would be made to contribute to the support of the Government is the most simple and economical.

And your petitioners as in duty bound will ever pray.

For the members of the Victoria Chamber of Commerce.

CHAS. W. WALLACE, President.

A. F. MAIN, Secretary.

Victoria, Vancouver Island, Jan. 26th, 1865.

State of the Colony Resolutions.

The Speaker read over the resolutions passed by the committee of the whole, on Wednesday last respecting the state of the Colony.

Mr. Young moved for a recommitment of the resolutions, and was proceeding to give his reasons, when The Speaker said, that if any discussion arose on the resolutions they would have to be postponed until Monday next.

Messrs. Franklin and Burnaby had some further remarks to make.

Mr. De Cosmos called "question."

The Speaker—"That I do now leave the chair?"

Mr. De Cosmos—"No!"

On the suggestion of the Speaker, Mr. De Cosmos moved that the order of the day be discharged.

Mr. Franklin stated that the House had waited a long time for the estimates, and it was known that Government business took precedence of all other. He hoped that the House would go on with the business of the day.

Mr. Burnaby moved "that the Speaker do now leave the chair."

Mr. Young said that according to "May," Government business cannot be superseded.

Motion to leave the chair was lost by a vote of 8 to 5. The order of the day respecting the "state of the Colony" was carried.

Mr. Young then moved that the resolutions be recommitted, and called the attention of the House to the results of the meetings held in the city, and whether the almost unanimous opinion of the Chamber of Commerce is to go for nothing, when there was but one voice in 20 against the maintenance of the free port, and subsequently 7 others entered the room and acquiesced with the decision of that body. He was about to advert to the decision in regard to the question at the Mechanics' Debating Club, when he was called to order. Mr. Young stated that the question was not intended for the benefit of the Colony, but for the benefit of individuals. [Mr. De Cosmos—no! no!] It was not the case, as stated by the press, that 9 out of 10 were in favour of a tariff. The hon gentleman (Mr. Young) quoted Washington territory to show that, with all its protection, the revenue derived from the custom house there only sufficed to pay one quarter of the expenses connected therewith. It used to produce 80,000 bushels of wheat, and now but 25,000 bushels, and all from the beautiful system of protection. He had his information from a reliable authority. He would ask the House, what would be more humiliating than for this Colony to go begging to British Columbia, asking to have its destiny hooked on with theirs. With regard to the cereal productions of this Colony, Mr. Y. quoted the phrase, "the woodman's axe had not rung in the primeval forest, &c.," which will be remembered was used by an honourable member in connexion with the Crown Lands' report of last session of the House, and it caused much merriment. The Hudson's Bay Company also came in for a share of the hon. gentleman's censure. Mr. Young went on to state that a paid Legislature would be brought about by the course proposed; he had often heard hon. gentlemen deprecate a paid Legislature, and he would not say that any hon. member ever thought of such a thing for their own benefit. No, no. (Laughter.) He was surprised that an hon. gentleman in the House, in the retail business, should favour a tariff of 20 per cent., and how could he delude his customers or make them believe that there would be no consequent advance in his goods? To talk of union, with dissent on both sides, seemed to him most paradoxical. If the resolutions were brought forward in a less humiliating manner to ourselves, we might arrive at something. He hoped that hon. gentlemen would look to the serious consequences which would arise from the passage of the resolutions, and he trusted that hon. members would not be deaf to the arguments used.

Dr. Tolmie said that they had heard nothing from Mr. Young approaching reason why the resolutions should be recommitted; as to the personalities, those he would leave out altogether. As regards the wheat raised in Washington territory, Mr. Tolmie stated that it arose from the poverty of the soil and was not reproductive. With respect to the Chamber of Commerce, that body only dealt with a portion of the question; union was not submitted at all. As to the dissent on both sides alluded to, the question was never put before British Columbians as it was now put, and in British Columbia there was a great deal of assent to union with this Colony.

Mr. Burnaby rose to make a last appeal, but from appearances he feared that he had but a small

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

chance. He would say a few words in order to put the question off for a short period, that the people might be enabled to gain more time to consider the matter. He was not disposed to jest in the matter. He would confess that he was unable to see the great advantages to be gained that other hon. gentlemen saw. Doubts are expressed that the free port had not tended to the building up of this city, but he was convinced that without free trade up to this time, the place would be comparatively small. Mr. Burnaby alluded to the enterprise of our neighbours, who would take advantage to build up a rival city on the opposite coast, and he brought to the notice of the House the petition of the Chamber of Commerce, which represented the views of a portion of the community which paid a very large share of the taxes and who developed the resources of the country to a great extent. That body naturally, he said, felt the deepest interest in the matter. In regard to the question of union, they foresaw that without it unconditional, there was no chance of the free port being given up. They did not touch on union because they felt that it would be dealing with a political matter. Mr. B. expressed his astonishment that hon. gentlemen who sat around that table and pledged themselves to their constituents 18 months ago to support the free port could now scatter those principles to the wind. By reason of the pledges extracted from them they now sat in that House. How they could reconcile their conduct with their conscience now he could not see. Union was desirable, but he could not see what there was in the position of the Colony now, as compared with it 18 months ago, which should make hon. members change their views. He would now ask hon. gentlemen, especially in deference to the petition of the Chamber of Commerce which he laid before them, to postpone the further discussion of the question for three weeks.

Mr. Franklin supported the motion of Mr. Burnaby, and would like also to treat the matter seriously. They had arrived at a crisis in the history of the Colony. For the first time in the House it is proposed to abolish the free port. [No, no, from Mr. De Cosmos.] He (Mr. F.) would accept the no, no, but he questioned the sincerity of those no, noes. The hon. gentleman stated that he saw members before him for whom he voted, and helped to gain a seat in the House, because they advocated free port principles, and he had a right in his place to demand consistency from them. (Hear, hear.) He thought that as guardians of the public they had no right to place the interests of the people in the hands of the Secretary of State to do as he thought fit, and could they for a moment say we will do as we please? Mr. Franklin touched on the subject of the claims made out by the Committee on Crown Lands against the Hudson's Bay Company, and reminded hon. members if all these were to be swept away in a moment, and with one dash of the pen, he urged hon. gentleman to maintain the rights of the people, and not to abandon them from selfish ambition. Were they to throw out Americans, Frenchmen, Germans, Chinese, by substituting a restrictive policy? The hon. gentleman here mentioned, as an instance of the many chances of fostering the free port, the recent order for issuing passports by the American Government to people leaving the Colony. He would say with the hon. gentleman who had just spoken (Mr. Burnaby), that they should think seriously before they abandon the advantages of a free port. Remember the question which is taken up by gentlemen who do not enter into politics at all, and who say that if the free port is given up, they will leave the country; and he was assured that several were about to establish themselves in the neighbouring territory. Once destroy the free port, and the supremacy of Vancouver Island will go with it. Mr. F. wanted no political advancement; he would accept no office. British Columbia, with its revenue for this year of \$400,000, in comparison with ours of \$230,000, would, from the nature of things, control our revenue, and it would be expended for their interests. Selfishness governs public men. The dreams of those who imagine that they are going to become *prime ministers*, if reflected upon, cannot be realized. Again, if after nearly seven years' existence, are three days going to change the entire policy of the country without giving the people a chance to express their opinion? He would say that to change the system would be a political wrong, and a crime which should not be countenanced, and should disable any public man from ever entering the House again. The delay asked by Mr. Burnaby should be granted.

Mr. Young offered a few further observations.

Mr. Tolmie was agreeable to postpone the question for one week. It would give ample time.

Mr. Burnaby accepted the amendment.

Mr. De Cosmos would accept nothing less than the bare resolutions passed by the Committee. He replied with respect to the pledges given; he pledged himself to support a union of the two Colonies. He was of opinion that if the country went against free port principles and remained a separate Colony, that they would be committing political suicide. Mr. De Cosmos next spoke in relation to the views of the Chamber of Commerce which so much stress had been laid upon, and he stated that the views of some of the members were in favour of union. In relation to placing the interests of the Colony in the hands of the Imperial Secretary of State, he was satisfied that the interests of the Colony would be fairly dealt with; but if not, they (the House) could soon rectify it, as is to be seen in the case of the appointing of the two Governors on the representation of the people of British Columbia. Any motion to postpone would gain nothing, but would to a certain extent endanger their interests.

The Speaker then put the amendment to postpone the question for one week, but it was lost by the following vote: Ayes—Burnaby, Tolmie, Franklin, Young, Southgate; (5.) Noes—Dickson, Powell, Dennes, Duncan, Carswell, De Cosmos, Bayley; (7.)

The original resolution was then put, and clause 1 was passed, when Mr. Franklin moved an amendment to come in after the word "grant" in clause 2, as follows: "with the exception of abandoning the free trade of the Colony."

Mr. De Cosmos said that the amendment was designed to clog the resolutions.

Messrs. Tolmie and Dickson took much the same view of the matter; Dr. Dickson stating that it did not necessarily follow that if there was a union of the Colonies, the free port would be done away with.

Mr. Franklin did not mean the amendment as a "clog," but as a means to test the sincerity of hon. members.

The amendment was lost.

Mr. Young moved another amendment, to the effect that the resolutions be transmitted to the Governor of British Columbia. Lost: 7 to 5.

Mr. Franklin said that it was an incongruity for the House to pledge itself to abide by the decision of the Secretary of State for the Colonies. He hoped to see the present House dissolved, and then they would get a dissolving view of the question. They could not legislate beyond the session, and besides some of the members may resign, and the sense of the country might change in a couple of years.

Mr. Tolmie cited the example of the eastern British North American provinces, wherein they pledged themselves to abide by the decision of the Home Government in their action with respect to the Confederation scheme.

A few further remarks were made, and the resolutions passed as a whole by a vote of 8 to 4.

Ayes:—Tolmie, Dickson, Powell, Duncan, Dennes, Carswell, DeCosmos, Bayley.

Noes:—Burnaby, Young, Franklin, Southgate.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

No. 7.

No. 7.

COPY of a DESPATCH from GOVERNOR KENNEDY, C.B., to the Right Hon.
EDWARD CARDWELL, M.P.

(No. 15.—Separate.)

Victoria, March 21, 1865.

(Received, May 15, 1865.)

SIR,

REFERRING to my Despatch No. 14,* of this date, I have the honour to transmit certain resolutions and a report of the Chamber of Commerce of Victoria, on the subject of union with British Columbia.

* Page 6.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

(Signed) A. E. KENNEDY,
Governor.

Enclosure in No. 7.

Encl. in No. 7.

SIR,

Chamber of Commerce, Victoria, Vancouver Island, March 9, 1865.

HEREWITH I have the honour to hand you a series of resolutions, and a report relative thereto, passed unanimously at a meeting of the Chamber of Commerce, held on the 6th instant, and signed by the members.

On behalf of the Chamber, I have to beg that you will be good enough to lay these resolutions before his Excellency the Governor, with the request that his Excellency will be pleased to comply with the prayer therein contained, and to transmit the documents to the Secretary of State for the Colonies.

I have, &c.

(Signed) JULES DAVID,
President of the Victoria Chamber of Commerce.
(Signed) A. F. MAIN, Secretary

Henry Wakeford, Esq.,
Acting Colonial Secretary.

Victoria, Vancouver Island, March 6, 1865.

The committee appointed by the Chamber of Commerce to draft a series of resolutions on the subject of union with British Columbia, as viewed in connexion with the new tariff, respectfully submit the following resolutions and report for the consideration of the Chamber:—

RESOLVED,—

1. That an equitable union of the Colonies of British Columbia and Vancouver Island at as early a date as possible is essential to the maintenance of imperial and local interests in the British possessions of the North Pacific.
2. That the Chamber of Commerce adhere, nevertheless, to its resolutions on the subject of the free port lately adopted, believing that the interests of the two Colonies, whether united or separate, will be best maintained by the preservation in its integrity in this Island of the free trade policy hitherto pursued.
3. That these resolutions, with the annexed report, be signed by the whole of the members of the Chamber of Commerce, and transmitted by the president to his Excellency the Governor, with the prayer that they may be forwarded for the consideration of the Secretary of State for the Colonies, with the resolutions of the House of Assembly on the same subject.

Passed unanimously at a general meeting of the Chamber of Commerce held the 6th day of March 1865.

In adopting the foregoing resolutions the members of the Chamber of Commerce of Victoria, Vancouver Island, representing as they do the chief part of the capital that has been invested in the joint development of British Columbia and Vancouver Island, deem it proper to place on record the facts and circumstances that necessitate their present expression of opinion.

Prior to the year 1858 the British possessions in the North Pacific attracted but slight attention; the trading posts and forts of the Hudson's Bay Company, and a few farming establishments on Vancouver Island under their control, being the only inducements for commerce, which, therefore, remained entirely in the hands of the company by whom Vancouver Island was then held under a charter from the Crown.

The discovery of gold on the River Fraser in 1858, and the large floating population it attracted, chiefly from California and Oregon, gave an entirely new impetus to commerce. Merchants and traders

followed the new community with capital and enterprise to supply its requirements in the quickest manner and from the most convenient point.

The action of the Hudson's Bay Company in its corporate capacity, as well as of the several members in their individual interests, proves conclusively that from the first the main land and Vancouver Island were regarded as identical, and their separation, as a temporary condition of imperial policy, arising out of the grant of the Island to the Company.

Victoria, as early as 1843, was selected by the Hudson's Bay Company as the most eligible spot for carrying on business in North-west America to the best advantage, and the merchants who followed them in 1858 ratified the wisdom of that choice.

'It should be borne in mind that there were many reasons why American merchants should have settled by preference on the opposite coast, and should have thus derived on their own territory the privileges for a coasting trade as well as of importing American produce duty free; there were the further inducements of good town sites, excellent harbours, and access to British Columbia overland; but Victoria, with the *prestige of a free port*, offered greater advantages still.

The commanding nature of its geographical position, its convenient and capacious harbours of Victoria and Esquimalt (the only safe harbours on the sea-board north of San Francisco, a distance of 700 miles, and approachable at all times by night or day for sea-going ships of any burthen); the comparatively large area of open land in its vicinity; its proximity to the coal-fields of Nanaimo, and its temperate and delightful climate, all indicated it as a natural depôt, from whence might be supplied not only the requirements of British Columbia, but of Puget Sound, Oregon, California, Mexico, the Hawaiian Islands, and the Russian possessions in the North Pacific (all of which have since become the customers of Victoria, and give promise of increasing trade), and thus to build up an entrepôt for British commerce and influence, the vast results of which, in course of time, can only be matter of conjecture, occupying as Victoria does a most important position in what, when overland communication is opened through British Columbia, will be the shortest and healthiest route from Great Britain to her many valuable possessions in the east.

The recent action of the United States Congress, in voting a subsidy for monthly mail steam communication between China and San Francisco evinces that our neighbours are fully alive to the value of securing this important traffic for themselves.

The selection of Esquimalt as the naval station for the North Pacific proves that these several points have been duly weighed by the Imperial Government and their value recognized.

The internal resources of Vancouver Island, extensive and promising for the further successful working of minerals, farming, and manufactures, are only casually referred to, as being but partially developed. The same may be said of the gold fields discovered last year, which have yet to be proved, and their richness and extent to be ascertained.

But the commercial interest of Vancouver Island, which is the peculiar province of this Chamber, is an ascertained fact.

After the formal separation of the Colonies in 1858, and the establishment in 1859 of New Westminster as the capital of British Columbia, their relative positions remained the same, and under the judicious rule of Sir James Douglas, then the joint Governor of both, the progress of the Colonies was coincident, and their division merely nominal. The advancement of each was regarded as the benefit of the other.

The shipping and importing interests were unable to avail themselves of New Westminster, (although original purchasers, and still extensive holders of property there,) other than as a port of entry to the interior of British Columbia, for the following reasons:—

The great additional risks and delay for sea-going ships without steam, navigating between Victoria and the Fraser River.

The intricate, narrow, and uncertain channel through the sand-heads, at the mouth of the Fraser, available only for ships drawing 16 feet at the utmost, and then requiring the assistance of steam.

The subsequent danger and delay attending river navigation to New Westminster, the current during the summer freshets being very rapid.

The closing of the river by ice from time to time during the winter season, extending over four months.

The general inconvenience of the situation for import and export to and from foreign markets, and the limited and uncertain nature of the mere local demand.

Accordingly, in no spirit of rivalry to the sister Colony, but with the clearly-defined purpose of fostering her advancement as the best means of promoting their own, the merchants, without an exception, settled down in Victoria, and under a free trade policy assisted to build it up to its present flourishing condition, investing considerable sums of money in permanent improvements, and in the establishment of business connexions, under the belief that the relative positions of the Colonies would remain without material alteration.

It was hoped they would still work harmoniously together, and that Vancouver Island in maintaining her independence, and with it her free trade, would find in British Columbia her best customer and her staunchest supporter; and on these grounds the members of the Chambers of Commerce of Victoria, Vancouver Island, declined to touch upon union, as being more a political than a commercial question.

The further reconstruction of British Columbia in 1863, and the arrival in 1864 of separate Governors with distinct establishments for that Colony and for Vancouver Island, somewhat altered the relations of the two, and now threatens seriously to imperil the mutually beneficial relations hitherto existing between them, which would directly tend to destroy the good effect already springing from the free trade policy of Vancouver Island, and would build up rival towns on the adjacent American territory to the sacrifice of British interest in the North Pacific.

The members of the Chamber of Commerce of Victoria, Vancouver Island, view with surprise and astonishment the passing of enactments by the Legislative Council of British Columbia intentionally antagonistic to Victoria, from whence the great proportion of capital that has been and still is employed in trading, mining, and other enterprises in British Columbia, has been supplied on a very liberal credit, and where it is still owned, there not being at this moment one single importing mercantile establishment throughout that Colony.

The annexed tariff recently passed by the Legislative Council of British Columbia, and put into operation *the same day*, without any notice to the mercantile community, most clearly indicates a desire to sacrifice the material interest of the Colony of British Columbia at large, provided that in so doing a blow is aimed that will elevate New Westminster at the expense of Victoria.

It is certain that the miners, traders, and packers of British Columbia, who are chiefly affected by this measure, are not sharers in the feeling of opposition against Vancouver Island prevalent at New Westminster; such of them as were in Victoria have already given expression to their views at a public meeting, and petitions are in active circulation against it.

Another instance may be cited as evincing the spirit of antagonistic legislation, in compelling vessels from Victoria, bound for the N.W. coast of British Columbia, to proceed 27 miles up the river to New Westminster, at great risk and loss of time (in the case of large craft involving the additional delay of going and returning 70 miles each way, as the inner passage by Johnson's Strait is only available for small vessels or steamers), for the simple purpose of entering and clearing, instead of being allowed as heretofore to clear from Victoria.

It frequently happens that sailing vessels, so bound, are unable, from ice in winter, and from freshets in summer, to reach New Westminster at all. A case recently occurred, as set forth in the declarations in the appendix, in which a schooner bound for Queen Charlotte Island with supplies for some miners supposed to be short of provisions, could not enter the Fraser owing to the ice. She went round to Burrard Inlet, from whence New Westminster has constantly received supplies when the river was closed, a distance of seven miles overland from New Westminster, was refused a clearance, unless she came to New Westminster, and ultimately returned to Victoria; in this particular instance the action of the authorities may prove to have been fatal to life.

From such ill-advised legislation most serious issues must spring, and it is the deliberately expressed opinion of this Chamber that the paramount interest of the Imperial Government in the North Pacific will be seriously jeopardised by it.

The want of concord between two Colonies in such close proximity, whose limited populations are mutually dependent on each other, can only result in access of strength to our American neighbour at the expense of British influence in a quarter of the world where it is needless to state that influence ought to be fostered to the utmost.

Finally, as bearing on the question of union with British Columbia, public opinion in opposition to the views of this Chamber, seems to be wavering and unstable on the question of free trade, and it is obvious that unless that policy is adhered to, the natural advantages of Vancouver Island can only be made available by the establishment of perfect harmony and union of interest between it and British Columbia.

In view of which, and regarding the general progress of the two Colonies as far above mere local considerations, the members of the Chamber of Commerce of Victoria, Vancouver Island, can only see in equitable union a practical solution of existing difficulties, and while feeling that Victoria as a free port dépôt, established with so much forethought and maintained at such cost, to the substantial benefit of British Columbia as well as of Vancouver Island, may be weakened for a time, they are content to leave the solution of the whole question to the wisdom of Her Majesty's Government, feeling sure that the true interest of all parties will be carefully estimated and provided for.

Adopted unanimously at a general meeting of the Chamber of Commerce held the sixth day of March 1865.

DECLARATION of the PRESIDENT and SECRETARY of the QUEEN CHARLOTTE MINING COMPANY, LIMITED.

1. The company have had men at the mines since June last whose time had expired. Some delay had already occurred in sending a vessel with supplies for them. They were supposed to be nearly out of provisions and clothing, and it was a matter of necessity that a vessel should be sent to them.

2. We were present at a meeting of the board of directors held on 21st January, at which a resolution was passed authorizing the secretary "to contract with a vessel to go to the mines and bring back the men there, and all tools and moveable property of the company."

3. The schooner "Onward" was chartered for the purposes specified in the resolution on the 26th January, and despatched the following day.

4. The schooner returned to this port on or about the 7th February, in consequence of being refused a clearance at the custom-house at New Westminster.

5. The delay in sending a vessel may be fatal to the men, and is extremely detrimental to the interests of the company.

6. The provisions shipped on board were intended for the use of the men returning, and the value of them was \$64,90-100.

7. And I, Robert George, further declare that the paper writing marked "A" is the original memorandum of agreement made with Hugh McKay, the captain and owner of the British schooner "Onward," and the paper writing marked "B" is the original receipt for all the goods shipped by the Queen Charlotte Mining Company on board the said vessel. And we, Robert Burnaby and Robert George, do solemnly and sincerely declare that the above-mentioned statement is true and correct, and we make this declaration conscientiously believing the same to be true.

ROBERT BURNABY,

President, Queen Charlotte Mining Company, Limited.

ROBERT GEORGE,

Secretary, Queen Charlotte Mining Company, Limited.

Declared before me at Victoria, Vancouver Island, this eighth day of March, A.D. 1865, in due form of law.

Quod attestor.

M. W. TYRWHITT DRAKE,
Notary Public.

Seal.

A.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

This agreement, made this 26th day of January 1865, by and between Hugh McKay, master and owner of the schooner "Onward," of the first part, and the Queen Charlotte Mining Company, Limited, of the second part, witnesseth that for and in consideration of the sum of \$225 agreed to be paid by the party of the second part on the completion of this agreement, the party of the first part will proceed without delay to the Company's mines at Sockalu Harbour, Queen Charlotte Island, and will remain there long enough to take on board and will take on board the men to the number of at least three, now or then at the mines, and also all and any material, tools, stores, or other articles belonging to the Company, which the foreman of the Company may direct, and bring the same with as little delay as possible to the port of Victoria and alongside a convenient wharf at said port, and deliver the same to the said party of the second part, or their agents or assigns. And the said party of the second part agrees to pay the said sum of \$225 on the delivery of the said material, tools, stores, and articles, and landing of said men.

Dated in Victoria, Vancouver Island, this 26th January, 1865.

HUGH MCKAY.

JAMES DUNCAN,
Witness.

For the Queen Charlotte Mining Company, Limited,
R. GEORGE, Secretary.

This is the document marked A. referred to in the annexed declaration, dated 8th March 1865.

M. W. TYRWHITT DRAKE, Notary Public.

B.

VICTORIA, Vancouver Island, January 26, 1865.

SHIPPED in good order by Sporburg and Reuff, on board the "Onward," whereof McKay is master, and bound for Q. C. M. Co., the following packages (the dangers of fire and navigation excepted) consigned to Q. C. M. Co., of Q. C. Island, and marked Q. C. M.

One Bhl. Flour.

One Pn. Bacon.

One Sk. Beans.

One. Pkg. Sundries.

One Bhl. Molasses.

Two Boxes Bread.

One Sk. Potatoes.

This is the document marked B. referred to in the annexed declaration of Robert Burnaby and Robert George, dated 8th March 1865.

M. W. TYRWHITT DRAKE, Notary Public.

TO ALL TO WHOM THESE PRESENTS SHALL COME,—

I, Montague William Tyrwhitt Drake, Notary Public, duly authorized, admitted, and sworn, residing and practising in Victoria, Vancouver Island, do hereby certify that Hugh McKay, personally known to me, appeared before me and signed the declaration hereto annexed, in due form of law, and that the name "Hugh McKay" thereto subscribed is of the proper handwriting of the said Hugh McKay.

In faith and testimony whereof, I, the said notary, have hereunto set my name and affixed my seal of office.

Seal. Dated in Victoria aforesaid, the twenty-first
day of February, A.D. 1865.

M. W. TYRWHITT DRAKE, Notary Public.

DECLARATION OF HUGH MCKAY, Master and Owner of the British Schooner "Onward," of Victoria, Vancouver Island.

I am master and owner of the British schooner "Onward."

I made a written agreement on the 26th January last, with the Queen Charlotte Mining Company, Limited, to go to their mines at Queen Charlotte Island, and bring thence to Victoria (3) three men and the material left there.

I took on board goods to the value of \$160, all of which were "stores," except two bhls. molasses and five boxes bread, of the value of about (\$57.00) 57 dollars.

I sailed and reached the entrance of Fraser River and attempted to get up to New Westminster, to clear my goods, but found so much float ice coming down the river, that I did not dare to risk my vessel against it.

I went out of the river and round to Burrard's Inlet, to which place vessels customarily go in the winter, when they cannot reach New Westminster by the river.

From my anchorage there I sent over my manifest and clearance, and money to pay duties.

The custom-house officer asked if those (on the manifest) were all the goods on board. My messenger replied all, except "grub," but they could send an officer over and examine. He was then told to bring over a list of everything on board.

He returned to the vessel, and I made out a list of all the stores and everything I had on board, even to a bottle of pepper, and sent the man back with it, telling him if they would not send an officer over and clear me for the north, then to get a clearance back to Victoria. Upon his arrival with this list, after some debate about sending an officer over, they finally said that they could not clear any vessel for the north, except the vessel herself was brought to New Westminster.

After much difficulty they gave me a clearance for Victoria.

I lost 10 days in the trip and the contract with the Queen Charlotte Mining Company. From the anchorage to New Westminster my man had to go eight miles in a canoe, and then six miles over a trail through mud and ice, and this back and forth four times. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled An Act to amend an Act of the present session of Parliament, entitled an Act for the

more effectual abolition of oaths and affirmations taken and made in various departments of the State, and to substitute declarations in lieu thereof, and for the more entire suppression of voluntary and extra-judicial oaths and affidavits, and to make other provisions for the abolition of unnecessary oaths.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

HUGH McKAY.

Declared in due form of law, this 21st day of February, A.D. 1865,
before me,
M. W. TYRWHITT DRAKE, Notary Public.

BRITISH COLUMBIA.

V. R.

No. 3.—AN ORDINANCE TO AMEND THE DUTIES OF CUSTOMS.

[15th February 1865.]

WHEREAS it is expedient in some respects to alter the duties of customs as now by law established in British Columbia, and to make further provision for the levying thereof. Preamble.

Be it enacted by the Governor of British Columbia, by and with the advice and consent of the Legislative Council thereof, as follows:

- I. From and after the passing of this Ordinance, the duties of customs hitherto chargeable on goods, animals, and articles imported into and landed in British Columbia, shall be and are hereby repealed. Former duties repealed.
- II. In lieu thereof, from and after the passing of this Ordinance, there shall be levied, assessed, collected, and paid to the use of Her Majesty, Her heirs and successors: To be substituted.
 - a. Upon all goods, wares, merchandise, animals, and things imported into and landed in British Columbia, and more particularly mentioned in Schedule A: hereto, and according to the value thereof, the several *ad valorem* duties in such Schedule set opposite the respective articles therein named. *Ad valorem* duties in Schedule A.
 - b. And (in addition to the *ad valorem* duties leviable on certain of the same articles) upon all goods, wares, merchandise, animals, and things imported into and landed in British Columbia, the several specific duties of customs more particularly mentioned in Schedule B. hereto, and set opposite the respective articles therein named. And specific duties in Schedule B.
 - c. And so long as the Proclamation made and passed on the 10th day of December, A.D. 1859, is in force, and the dues thereby leviable shall be levied upon wares, goods and merchandise transported from New Westminster to any place in British Columbia, there shall be so levied, collected, and paid as aforesaid upon every ton of wares, goods, and merchandise imported into the Colony by way of the Southern Boundary, the sum of twelve shillings, and so on for a greater or less quantity; and on cattle, horses, mules, and asses so imported by way of the Southern Boundary, the sum of two shillings and one penny per head beyond the specific duties charged on animals in Schedule B. hereto. Tonnage dues on imports by Southern Boundary.
 - d. The articles mentioned in Schedule C. hereto shall be admitted into British Columbia free of duty. Free list in Schedule C.
- III. With the bill of entry of any goods, there shall be produced to the collector of customs an invoice of the goods, and the bill of entry shall also contain a statement of the value for duty of the goods therein mentioned, and shall be signed by the person making the entry, and verified if required by his declaration to the truth thereof, and no entry shall be deemed perfect unless a sufficient invoice of the goods to be entered has been produced to the collector. Invoice to be produced.
- IV. If any person passes or attempts to pass through the custom-house any false or fraudulent invoice, or makes out or passes, or attempts to pass a bill of entry of any goods at a value below the fair market value of such goods in the country from which such goods were last directly shipped or exported, or in any way, by under-valuation or otherwise, attempts to defraud the revenue of any part of the duty on any goods or things liable thereto, every such person shall on conviction (in addition to any other penalty or forfeiture to which he may be subject for such offence) be liable to a penalty not exceeding 100*l.*, and the goods so undervalued shall be and be taken and deemed to be forfeited. Penalties for fraudulent invoice.
- V. And inasmuch as it is expedient to make such provisions for the valuation of goods subject to *ad valorem* duties as may protect the revenue and the fair trader against fraud by the undervaluation of any such goods, therefore the Governor may from time to time, and when he deems it expedient, appoint fit and proper persons to be appraisers of goods at the port of entry, and every such appraiser shall before acting as such take and subscribe the following oath of office before some justice of the peace for this Colony, and deliver the same to the collector. Every such appraisement shall be final. Appraisers how appointed.

I, A. B., having been appointed an appraiser of goods, wares, and merchandise, and to act as such at the port of (or as the case may be), do solemnly swear (or affirm) that I will faithfully perform the duties of the said office, without partiality, fear, favour, or affection, and that I will appraise the value of all goods submitted to my appraisement, according to the true intent and meaning of the laws imposing duties of customs in this Colony; and that I will use my best endeavours to prevent all fraud, subterfuge, or evasion of the said laws, and more especially to detect, expose, and frustrate all attempts to undervalue any goods, wares, or merchandise on which any duty is chargeable. So help me God. Oath to be taken by appraiser.

A. B.

Appraiser for (as the case may be).

Sworn before me, this day of 186

E. F.

J. P. for (as the case may be).

VI. If no appraiser is appointed to any port of entry, the collector there shall act as appraiser, but without taking any special oath of office as such; and the Governor may at any time direct any appraiser to attend at any port or place, for the purpose of valuing any goods, or of acting as appraiser there during any time, which such appraiser shall accordingly do without taking any new oath of office, and every appraiser shall be deemed an officer of the customs. Collector when to act as appraiser.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

Value of goods
to be fair
market value.

Duties to be
collected as
customs
duties.

Penalties for
evasion.

Short Title.

VII. In all cases where any duty is imposed on any goods or things imported into this Colony according to the value of such goods, such value shall be understood to be the fair market value thereof in the principal markets of the country whence the same were last shipped or exported direct to this Colony, and the collector and appraiser shall, by all reasonable ways and means in their power, ascertain the fair value of such goods as aforesaid, and estimate the value for duty accordingly.

VIII. The duties hereby imposed shall be deemed to be customs duties, in all respects subject to the Customs Consolidation Act, 1853, the Supplemental Customs Consolidation Act, 1855, and this Ordinance; and shall be under the care and management of the collector of customs for the time being for the Colony, who by himself and his officers shall have all the powers and authorities for the collection, recovery, and management thereof, as are under or by virtue of the said Customs Consolidation Acts, or either of them, or this or any other Act, Ordinance, or Proclamation, vested in the said collector for the collection, recovery, and management of duties of customs, and all other powers and authorities requisite for levying the said duties.

IX. Every evasion, or attempt at evasion of, or offence committed by any person or persons to defeat the payment of any of the duties hereby made payable on any goods or things imported into British Columbia (which shall include its dependencies) will, in addition to the penalties by this Ordinance imposed, be prosecuted and punished in the manner prescribed by the said Customs Consolidation Acts.

X. This Ordinance shall be cited as "The Customs Amendment Ordinance, 1865."

Passed the Legislative Council this 15th day of February, A.D. 1865.

CHARLES GOOD,
Clerk.

ARTHUR N. BIRCH,
Presiding Member.

Assented to, in Her Majesty's name, this Fifteenth day of February 1865.

FEDERICK SEYMOUR,
Governor.

SCHEDULE A.

AD VALOREM CUSTOMS DUTIES.

Everything not enumerated under Schedules A., B., and C., shall be subject to a duty of $12\frac{1}{2}$ per cent.

Ale and Porter - - - 20 per cent.	Earthenware - - - $12\frac{1}{2}$ per cent.	Potatoes - - - $12\frac{1}{2}$ per cent.
Axes - - - $12\frac{1}{2}$ "	Fish (preserved) - - $12\frac{1}{2}$ "	Pork (salt) - - - 10 "
Bacon - - - 15 "	Fire Arms - - - $12\frac{1}{2}$ "	Quicksilver - - - $12\frac{1}{2}$ "
Barley - - - $12\frac{1}{2}$ "	Flour - - - 15 "	Rice - - - 20 "
Beans - - - 20 "	Fruits (preserved) - $12\frac{1}{2}$ "	Rope and Cordage - $12\frac{1}{2}$ "
Beef (salt) - - - $12\frac{1}{2}$ "	Furniture (excepting that as provided for in Schedule C.) - $12\frac{1}{2}$ "	Shot - - - $12\frac{1}{2}$ "
Billiard and Bagatelle tables - - - $12\frac{1}{2}$ "	Glass and Glassware - $12\frac{1}{2}$ "	Soap - - - $12\frac{1}{2}$ "
Bitters - - - 40 "	Groceries (not other- wise provided for) - $12\frac{1}{2}$ "	Stationery - - - $12\frac{1}{2}$ "
Blankets - - - 20 "	Gunpowder - - - 15 "	Sugar - - - 20 "
Boots and Shoes - - 15 "	Hardware and Iron- mongery - - - $12\frac{1}{2}$ "	Tar and Pitch - - $12\frac{1}{2}$ "
Bread - - - 15 "	Harness and Saddlery $12\frac{1}{2}$ "	Tea - - - 25 "
Bricks - - - $12\frac{1}{2}$ "	Iron and Steel - - - $12\frac{1}{2}$ "	Tin and Tinware - $12\frac{1}{2}$ "
Butter - - - 15 "	Lard - - - 15 "	Tobacco - - - 30 "
Candles - - - 20 "	Leather - - - $12\frac{1}{2}$ "	Vegetables - - - $12\frac{1}{2}$ "
Camphene - - - $12\frac{1}{2}$ "	Lime - - - $12\frac{1}{2}$ "	Do. (preserved) $12\frac{1}{2}$ "
Cheese - - - 15 "	Meat (preserved) - $12\frac{1}{2}$ "	Waggons - - - $12\frac{1}{2}$ "
Chocolate - - - $12\frac{1}{2}$ "	Molasses - - - $12\frac{1}{2}$ "	Wheat - - - 10 "
Cider - - - $12\frac{1}{2}$ "	Nails - - - $12\frac{1}{2}$ "	Window Sashes and Doors - - - 10 "
Clothing - - - 15 "	Nuts and Almonds - $12\frac{1}{2}$ "	Wine, Champagne - 40 "
Coffee, green - - 15 "	Oils - - - 15 "	" Claret - - 25 "
Do. manufactured 20 "	Oats - - - $12\frac{1}{2}$ "	" Various - - 25 "
Confectionery - - $12\frac{1}{2}$ "	Opium - - - 50 "	Woodware - - - $12\frac{1}{2}$ "
Cordials - - - $12\frac{1}{2}$ "	Paints - - - $12\frac{1}{2}$ "	Yeast Powders - - $12\frac{1}{2}$ "
Drugs and Chemicals 20 "		Playing Cards - - 50 "
Dried Fish - - - 30 "		
Dry Goods - - - 15 "		

SCHEDULE B.

AD VALOREM AND SPECIFIC.

Spirits and Distilled Liquors of all kinds,
for every gallon imperial measure, of
full strength or less than full strength
of proof by Syke's hydrometer - - - 6s.
And so on in proportion for any greater
strength than proof.

And on the value thereof at the place
from whence last imported - - - 20 per cent.
Chinese Medicated Wine and Spirits,
per gallon - - - 6s.

And on the value thereof at the place
from whence last imported - - - 20 per cent.
Cigars and Cheroots, per 100 - - - 4s. 2d.
And on the value thereof at the place
from whence last imported - - - 20 per cent.

SPECIFIC.

Bulls, Cows, Calves, Oxen, Horses,
Asses, and Mules, per head - - - 4s. 2d.
Sheep, Goats, and Hogs, per head - - 2s. 1d.

SCHEDULE C.

ARTICLES FREE OF DUTY.

All materials required for ship or boat building, all kinds of Machinery, Pig Iron, Agricultural Implements, Coin, Fresh Fish, Fruit, Poultry alive or dead, Seeds and bulbs and roots of plants to be used in agriculture and not as food, Coals, Eggs, Hay, Salt, Lumber, empty Gunny Sacks, Printed and Manuscript Books and Papers, Baggage and Apparel, Household Furniture which has been in use, belonging to and arriving with *bonâ fide* immigrants, and professional apparatus of passengers. And also all goods, animals, and articles whatsoever, imported for the public service, or uses of the Colony of British Columbia, or for the use of Her Majesty's Land or Sea Forces, or of any person holding any command or appointment in Her Majesty's Forces aforesaid: Provided always that all articles so excepted from duty as above mentioned, are the property of passengers and officers, for use, and not for making a profit by the sale thereof.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

No. 8.

No. 8.

EXTRACT from a DESPATCH from GOVERNOR KENNEDY, C.B., to the Right Hon.
EDWARD CARDWELL, M.P.

(No. 16.)

Victoria, March 21, 1865.

(Received May 15, 1865.)

I HAVE deferred replying to that part of your Despatch No. 2,* dated 30th April, 1864, on the proposed union of Vancouver Island with British Columbia, until I could report some definite action of the Legislature of this Colony on the subject.

* Page 5.

After various abortive proceedings (the details of which I need not trouble you with) the resolutions communicated in my Despatch No. 14† of this date were adopted by the Legislative Assembly on the 27th January 1865.

† Page 6.

These resolutions, coupled with those of the Chamber of Commerce, transmitted in my Despatch No. 15,‡ also of this date, will enable you to judge of the public feeling on the subject.

‡ Page 13.

I took an early opportunity, after the expression of opinion by the Legislative Assembly, to have a personal consultation with Governor Seymour * * *

A year's experience and close observation in this Colony have led me to adopt a very decided opinion of the expediency—I might almost say necessity (for to that I think it must come)—of uniting British Columbia and Vancouver Island under one Governor, one Legislature, and equal laws.

The proposal of my predecessor, adverted to in your Despatch, that there should be one Governor, "that the Colonies should each have its separate Legislature, make its own laws, raise and apply its own revenue, as at present, for its individual benefit," seems to me to be surrounded by difficulties, and fraught with the elements of dissolution and discord.

The difficulty of one Governor administering two neighbouring Governments, conducted upon different and antagonistic commercial principles, as they exist at present, seems to me insuperable.

If these Colonies progress (as it is hoped), the ports of one being free and the other levying import duties, it would ultimately require a large portion of the revenue of the one to suppress smuggling from the other, a fact well illustrated by the contraband trade at present carried on with Vancouver Island and the neighbouring American territory, between which similar conditions at present exist.

As regards the control and management of the Indian population (which is a most important subject of consideration), who migrate between the two Colonies, the necessity of uniform legislation and *policy* are, I think, self-evident.

A uniform postal system, and all other subjects on which united action are necessary, could hardly be carried out, or at best would be weakened by separate Legislatures.

The population of each Colony is and will long continue to be too small for healthy political action.

All the advantages derivable from mutual aid and co-operation would be lost, and a bitter and senseless rivalry (as at present growing up) engendered in their stead.

I think it would be difficult to find two Colonies or communities who are so necessarily dependent on each other for progress and support.

The readiness of the Legislative Assembly of this Colony to abandon the free port of Victoria at once removes the only serious difficulty which has hitherto beset this question, a course of action approved of by an overwhelming majority of their constituents.

The separate existence and possibly hostile legislation of these Colonies affords a

had public example, and must continue to be an increasing embarrassment to Her Majesty's Government.

I will not enter upon the question of relative gain of each Colony in the event of union, beyond expressing my opinion that the resources of this Colony, by means of direct taxation alone, are ample to defray the expenses of Government, with the maintenance, if necessary, of its free port; and that its financial condition on the whole is quite as satisfactory as that of British Columbia.

The form of Government under which these united Colonies could be most easily and successfully governed is an important subject for consideration.

The form of Government at present existing in this Colony, namely, an Elective Assembly of 15 Members, and a nominated Legislative Council, does not, and in my opinion never can, work satisfactorily. There is no medium or connecting link between the Governor and the Assembly, and the time of the Legislative Council (which comprises the principal executive officers) is mainly occupied in the correction of mistakes, or undoing the crude legislation of the Lower House, who have not and cannot be expected to have the practical experience or available time necessary for the successful conduct of public affairs. On financial subjects they are always greatly at fault.

I would therefore recommend (should the opportunity for remodelling the form of Government occur) that there should be one Chamber only, composed of elective Members, as at present, with the addition of nominees of the Crown in the proportion of one third, with power to resolve itself into two separate Chambers, when the state of the population would justify or render it necessary, a contingency which is, I think, far distant.

I believe that this change would find favour with the intelligent portion of the public, and a large number, if not a majority, of the present Assembly, whose constitution it would affect.

I have abstained from expressing any public opinion, or exercising any influence I may possess, in encouraging this movement, but I have no doubt that the expression of the former and legitimate use of the latter, if acquiesced in by Governor Seymour, would immediately remove all serious opposition to a union of these Colonies, which I consider a matter of great imperial, as well as colonial interest.

No. 9.

No. 9.

COPY of a DESPATCH from GOVERNOR SEYMOUR to the Right Hon.
EDWARD CARDWELL, M.P.

(No. 30.)

New Westminster, March 21, 1865.

(Received, June 29, 1865.)

SIR,

I HAVE the honour to forward a printed Paper of which I have become accidentally possessed, containing certain resolutions passed and statements made by the Chamber of Commerce at Victoria.

2. You will observe that these resolutions and statements, which attribute somewhat unworthy motives to the Government of this Colony, were transmitted to you before I became officially aware of their existence. I feel that I should be neglecting my duty to Her Majesty's Government and to British Columbia were I to pass unnoticed statements emanating from a respectable source, and which have been published with something approaching to accuracy in the daily periodicals of the neighbouring Colony. Of the resolutions, had they been unsupported by the statements, I should not have had to complain. They are the expression of the opinion of a beaten party. You are aware that the candidates on the Free Port side were rejected at the last Victoria elections. The beaten party have, however, the support of the people of Vancouver, in so far as they advocate a union with this Colony. With us, the Legislative Council has on more than one occasion unanimously protested against the proposed connexion.

3. I will pass over the earlier portions of the statements, but must pause when I reach the assertion that Victoria—I have no word to say against Esquimalt—possesses “a capacious and convenient harbour, approachable at all times, by night or day, for sea-going ships of every burthen.” I must refer on this point to the highest authority I can procure, that of Captain Richards, R.N., the present Hydrographer to the Navy. In his sailing directions for Vancouver Island, page 20, I find, “The entrance to Victoria Harbour is shoal, narrow, and intricate, and with S.W. or S.E. gales a heavy

"rolling swell sets on the coast, which renders the anchorage outside unsafe, while vessels of burthen cannot run in for shelter unless at or near high water. Vessels drawing 14 or 15 feet may, under ordinary circumstances, enter at such times of tide, and ships drawing 17 feet of water have entered, though only at the top of spring tides." Captain Richards proceeds to state that in the harbour "the space is so confined and tortuous, that a long ship has great difficulty in making the necessary turn; a large per-centage of vessels entering the port, small as well as large, constantly run aground from these causes." Further on, "it appears not a little remarkable that, with the excellent harbour of Esquimalt within two miles, Victoria should have been continued as the commercial port of a rising Colony, whose interests cannot but suffer materially from the risks and delays which shipping must encounter in approaching the commercial capital." He concludes his notice of the harbour, while allowing that Victoria suited the former wants of the Hudson's Bay Company, "it has been a fatal mistake at a later date not to have adopted Esquimalt as the commercial capital."

4. I will add my own personal testimony, though entirely unnecessary, to that of Captain Richards. After threading in safety by the chart and compass on a dark night the narrow channels among the islands of the Gulf of Georgia, I have found myself scarcely able to determine which of the indentations of the coast was the Harbour of Victoria. No light of any kind marks its entrance, and in a small steamer, drawing but 3 feet 6 inches, we have shared the fate of the "large per-centage of vessels, small as well as large," and run aground.

5. I wish to dispose of the questions relating to natural features, raised by the Chamber of Commerce, before following their arguments into political matters. Having thus lauded the harbour of Victoria, they proceed to deal in a less generous manner with Fraser River. The statements assert that the "intricate, narrow, and uncertain channel through the sand heads at the mouth of the Fraser is available only for ships drawing 16 feet of water at the utmost, and then requiring the assistance of steam." They go on to speak of the "subsequent danger and delay attending river navigation to New Westminster, the currents during the summer's freshets being very rapid." Either the Chamber of Commerce of Victoria or the Hydrographer of the Navy is very much mistaken. I beg leave to refer to page 97 of the book already quoted: "Fraser River, in point of magnitude and present commercial importance, is second only to the Columbia on the North-west Coast of America. In its entire freedom from risk of life and shipwreck, it possesses infinite advantages over any other river on the coast, and the cause of this immunity from the dangers and inconveniences to which all great rivers emptying themselves on an exposed coast are subject is sufficiently obvious." Captain Richards then alludes to the "fixed and unvarying character of the shoals through which this magnificent stream pursues its undeviating course into the Gulf of Georgia; and there can be little doubt that it is destined at no distant period to fulfil to the utmost, as it is already partially fulfilling, the purposes for which nature meant it—the outlet for the products of a great country." In descending the stream on reaching Langley, 12 miles above New Westminster, Captain Richards finds that "the river becomes a broad, deep, and placid stream, and, except during the three summer months, the influence of the flood stream is generally felt, and vessels of any draught may conveniently anchor. The depth is ten fathoms; the current not above three knots. Vessels of from 18 to 20 feet draught may enter the Fraser, and proceed as high as Langley, or a few miles above it, with ease, provided they have or are assisted by steam power. The only difficulty is at the entrance, and that is easily overcome by providing pilots and the means of maintaining the buoys in their position." The Chamber of Commerce speaks of the "intricate, narrow, and uncertain" entrance. I have already quoted Captain Richards's expression of "undeviating." He adds later, "that the stream has forced an almost straight though narrow passage." I may strengthen the refutation of the alleged "uncertainty" of the entrance. I had the channel recently re-surveyed by Mr. Pender, R.N., charged with the Admiralty survey of this coast. He found that it had sustained scarcely any appreciable change since the passage was first marked out on the settlement of the Colony.

6. The statements made by the Chamber of Commerce on matters susceptible of proof are somewhat remarkable. I hardly assume, in a body professing to represent the commercial capital and intelligence of the two Colonies, an ignorance of a book of sailing directions for their coasts, "published," as the title page would show them, "by Order of the Lords Commissioners of the Admiralty." If Captain Richards is in error, and his sailing directions calculated to lead ships into danger, his statements ought, in the interest of commerce, to have been boldly met. But he has been left aside

unnoticed, and assertions directly opposed to those made public by the Admiralty have been officially forwarded to you.

7. Although my own considerable yachting experience has led me to rely with the utmost confidence upon Captain Richards' directions, I feel that statements emanating from a Chamber of Commerce are at least entitled, where I allow myself to doubt their correctness, to the respect which requires care in refutation. I add, therefore, in support of the directions of the Hydrographer of the Navy, the enclosed letters from Vice-Admiral Kingcome, lately Commander-in-Chief of the Pacific Squadron, and Captain Lord Gilford, commanding Her Majesty's ship "Tribune," authorities worthy surely of weight with the Victoria Chamber of Commerce. These letters were published in the official Gazette of this Colony.

8. Admiral Kingcome notices that the arrival of Her Majesty's ship "Tribune," drawing 19 feet 6 inches, opposite this town, most "conclusively proves" that direct "communication with New Westminster can be carried on by ocean ships of large tonnage." He says further, "the approach to the entrance of Fraser River possesses many advantages over that of the Thames. In the first place, the water is much smoother, and it is not exposed to any sea such as that raised in the North sea by easterly gales, which, in many instances, has caused the loss of ships. Secondly, there are no outlying sands, and the channel is not near so tortuous, and marks can be placed on the land, which in the Thames is nearly impossible. Thirdly, the weather is much clearer, and the position of a ship more easily fixed." "Fourthly, the anchorage in English Bay is far preferable to that in the Downs. In both rivers ships must wait for the tides, and with the same or even half the precautions in the Fraser that are used in the Thames a perfect stranger would have no difficulty in taking ships drawing 19 or 20 feet to New Westminster."

9. In leaving the river, the "Tribune" unfortunately grounded. Lord Gilford, in showing that the accident was caused by the dull white colour of a pole which marks the Channel, reports to the Commander-in-Chief on the station: "I deem it my duty to state that, notwithstanding Her Majesty's ship under my command having taken the ground on her outward passage, I am of opinion that vessels drawing from 18 to 20 feet could enter the Fraser in perfect safety, provided the channel be properly buoyed with marks which can be seen at a reasonable distance." The Chamber of Commerce is aware that great improvements have, since Lord Gilford wrote, been made in marking the Channel; that iron buoys have been ordered out from England, and tenders are invited, not only in our local papers, but in those of Victoria, for the construction of a light-ship for the mouth of the Fraser.

10. I admit that Esquimalt possesses all the advantages ascribed to it jointly with Victoria, but the "fatal" mistake alluded to by Captain Richards now causes irritation and inconvenience in both Colonies. I can see no objection to merchandise destined for us being transhipped in Esquimalt, but I do object to the present system under which our traffic is artificially conducted up the narrow and tortuous harbour of Victoria, causing a great loss of time and increase of expense. I have no certain information as to the amount of delay, but I believe that a fortnight to three weeks elapses after the arrival of a ship in Esquimalt harbour before any portion of her cargo reaches New Westminster.

11. The 12th paragraph states that under a former rule the advancement of each Colony was regarded as the benefit of the other. Unquestionably, even now, the legitimate advancement of each Colony is regarded as the benefit of the other.

12. I am in ignorance of the motives which induced Her Majesty's Government to make two Colonies of the British possessions to the westward of the Rocky Mountains, to lay out the plan of a city of vast dimensions near the mouth of the Fraser, and to sell the lots on the faith that on them would stand the future capital of British Columbia. If the mainland was to continue to be the dependency of an outlying island, no second capital was required, and steps ought boldly to have been taken, regardless of the private interests of the Hudson's Bay traders and others, to erect a great commercial town on the fine harbour of Esquimalt. Unquestionably, under the rule of my predecessor, Victoria became the principal English port on this coast, and New Westminster commenced a retrograde course early in its history. It could hardly have been otherwise. The Governor and other public officers drew their full salaries from British Columbia and resided in Vancouver Island. Victoria escaped all indirect taxation, while heavy duties were collected on all articles consumed on the mainland. The Hudson's Bay Company ran their steam vessels to the Fraser to connect with the river steamers, and draw down to the seat of government and of commerce the miners immediately on their arrival from the gold fields. The San Francisco steamers called at

Esquimalt only, and thus passengers for California had no inducement of any kind to remain even a few hours, voluntarily, in this Colony. While waiting for the steamers the miners spent their money in Victoria, and thus billiard rooms and drinking saloons arose, and the place acquired sufficient importance to depopulate New Westminster without attaining any solid foundation or considerable prosperity for itself. The Chamber of Commerce speaks of the trade with China, the Sandwich Islands, Russian America, and other places. How, if this be important, is it that the prospect of a portion of the traffic of British Columbia, taking the short and undeviating route by the Fraser, shakes the whole of Victorian society to its foundations, and causes a state of political ferment such as the island had never seen? Victoria did not attain any solid prosperity while having her interests set above those of this Colony and of the whole of Vancouver Island not included in her town lots. Let me state how British Columbia fared.

13. I had not seen even in the West Indies so melancholy a picture of disappointed hopes as New Westminster presented on my arrival. Here, however, there was a display of energy wanting in the tropics, and thousands of trees of the largest dimensions had been felled to make way for the great city expected to rise on the magnificent site selected for it. But the blight had early come. Many of the best houses were untenanted. The largest hotel was to let, decay appeared on all sides, and the stumps and logs of the fallen trees blocked up most of the streets. Westminster appeared, to use the miners' expression, "played out."

14. But it would have been urged, before the late excitement in Victoria, that the two Colonies prospered, and that, therefore, it mattered but slightly if those who bought land in New Westminster were losers by the speculation. It is not for me to report on the condition of Vancouver Island, but I have to state that British Columbia did not prosper. You are aware of the passionate appeals for separation which came from this Colony. The revenue of 1864 fell short of the estimate by 15,000*l.*, and, but for the accidental discovery of gold on the Kootenay, at the close of the year, the receipts would have shown a deficiency of 21,000*l.* on the estimated revenue. At the time of my taking over the government there was a local debt of 53,858*l.*, in addition to that incurred in England, composed chiefly of Road Bonds and an overdrawn account at the Bank of British Columbia. The miners were not prosperous, and the labourers in Cariboo had diminished in number. What class was then thriving? Merchants there are but few. The Chamber of Commerce states (para. 22) that there is not at this moment a single importing mercantile establishment throughout the Colony. Yet the number of traders who have taken advantage of the Insolvent Debtors Act was one-third greater in 1864 than in 1863. Perhaps, however, the country gentlemen who had introduced large capital and acquired land at a low price were the class who flourished while other interests drooped. Not so, I regret to say. Prosperity has not yet favoured their meritorious labours. The Legislative Council expressed a wish that some unpaid magistrates should be appointed. I offered a commission to three of the principal country gentlemen; one accepted the office; a second told me frankly he had sunk everything, and was on the brink of insolvency, unless further remittances arrived from England; the third sent me in a statement of his circumstances, showing that, if pressed by his creditors, he would be unable to meet his liabilities.

15. This is the state upon which British Columbia entered the London market as an applicant for a further loan of 100,000*l.* What security had it to offer? The merchants of Victoria were in no way liable; the miners, owners of the most valuable claims, have no habitation in the Colony. The statement respecting the importing merchants is not wide of the truth. Our creditors have, therefore, but the hard pressed owners of the soil to depend on.

16. It will hardly be cause for surprise if a document which deals loosely with facts should exhibit carelessness when it comes to deal with motives. The Chamber of Commerce, without any communication with myself or the Legislature of this Colony, state that our recent legislation has been "intentionally antagonistic to Victoria." This view was adopted at a public meeting held in that town. I enclose a copy of the petition which they originated and of my reply. The Legislative Council attached so little weight to the signatures, that the petition was not even taken up by the House. My answer will, I trust, dispose of the statements in the 23rd paragraph. As to the dissatisfaction supposed in the 24th to exist, I may at once say, that miners, like other men, are not partial to taxation, but that, although they have been worked upon in every way by the political agitators of Victoria, the only public manifestations of feeling which we have seen recently were the receiving the steamer (which, I believe, brought up the petition) in New Westminster with three groans for the Hudson's Bay Company, whose agents are prominent among the agitators against recent legislation. The last batch of miners on

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

landing here spontaneously gave three cheers for the Governor, whom, had they attended to the directions of the Victoria press, they would have opposed by all means, fair or unfair. Immediately after cheering the Governor, three cheers were given for Mr. O'Reilly, the Gold Commissioner of Cariboo, who had, in the council, taken a prominent part in recent legislation.

17. The 25th paragraph alludes to the circumstance of vessels having to clear at New Westminster instead of Victoria for the north-west trade. I would venture to call your attention to the Duke of Newcastle's Despatch, No. 33, of 15th June 1860, which states, what the Chamber of Commerce is well aware of, that the collecting of duties at Victoria on vessels bound for this Colony cannot be enforced. If the commerce of Vancouver Island is put to inconvenience by coming up the Fraser, I can only say it is by the action of my predecessor. His proclamation of 2nd June 1859 declares New Westminster to be the only port of entry in the Colony. I have induced the Legislative Council to give me, by ordinance, the power of creating additional ports, and I shall avail myself of its provisions in relief of the north-west trade.

18. You will observe in the 26th paragraph a minute account of the inconvenience and loss to which a vessel was exposed by having no alternative but to clear at New Westminster when the doing so became physically impossible on account of the ice on the river. I send a statement of the case, made by the collector of customs at this port, from which you will observe how widely inaccurate are the statements of the Chamber of Commerce. Mr. Hamley also disproves all the assertions respecting the closing of the river by ice for four months in the winter. Without further explanation let me simply say that, during an official experience of upwards of 20 years, I have not met with a series of statements so carelessly made by so respectable a body.

19. But I take this carelessness or absence of candour as the most convincing proof of the earnestness of the signers. There must be great feeling; respectable men must suffer much before they allow themselves to deviate, however slightly, from the strict paths of truth. Doubtless, the old position of the merchants of Victoria, engrossing the whole traffic of British Columbia without sharing in its burdens, was an enviable one, but the larger Colony languished and grew weaker under the operation, and threatened to deprive Victoria of its commerce by simply relapsing into wilderness. Let us hope that a time will ere long arrive, when, sharing equally in the public burdens, the merchants of Victoria may derive a solid prosperity from the increased vigour which a respite from the exactions of absentee traders will give this Colony.

20. I enclose an article from the "North Pacific Times," of the 17th March, on the subject of the resolutions and statements of the Chamber of Commerce.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) FREDERICK SEYMOUR.
&c. &c. &c.

Encl. 1 in No. 9.

Enclosure 1 in No. 9.

Colonial Secretary's Office, 8th June 1864.

THE Governor has directed the publication of the following letter he has received from Vice-Admiral Kingcome, Commander-in-Chief, respecting the navigation of Fraser River. The suggestion contained in the early part of Admiral Kingcome's letter will be carried out, and a light ship will, in addition, be placed on the Sand Heads.

By command,

ARTHUR N. BIRCH.

SIR,

"Tribune," at New Westminster, 7th June 1864.

I DEEM it right to bring under your notice that, in coming to this place yesterday, I did not find any marks, except the two outermost buoys, for the channel from the Sand Heads to New Westminster, and that it was only through the ability and intimate local knowledge of Mr. Titcomb, pilot, that the "Tribune" was enabled to reach this port.

As it must be of vast importance to the future commercial prosperity of British Columbia, that the approach to New Westminster should be made as easy of access and free from danger as possible, and the presence of the "Tribune" (drawing 19 feet 6 inches) in these waters proving most conclusively that direct communication with New Westminster can be carried on by ocean ships of large tonnage, I would submit for your Excellency's consideration the expediency of having the channel carefully examined and marked out by large spar buoys, distinguished by different colours, placed on the banks or edge of the shoal water on each side, and securely moored with running chains, on the plan suggested by Captain Richards, late in charge of the Admiralty Survey of these coasts. The narrowest part of the channel and the shoalest water is about midway between Garry Point and the Sand Heads, and

here I think two well-marked beacons should be placed on the land in such a position that when in line they would lead over that part of the bar where the deepest water is to be found.

With the aid of a powerful steam tug, ships can reach New Westminster with facility, for the approach to the entrance of the Fraser River possesses many advantages over that of the Thames. In the first place the water is much smoother, and it is not exposed to any sea such as that raised in the North Sea by easterly gales, and which, in many instances, has caused the loss of ships.

Secondly, there are no outlying sands, and the channel is not near so tortuous, and marks can be placed on the land, which on the Thames is nearly impossible.

Thirdly, the weather is much clearer, and the position of a ship more easily fixed.

Fourthly, the anchorage in English Bay is far preferable to that in the Downs.

In both rivers ships must wait for the tides, and with the same or even half the precautions in the Fraser that are used in the Thames, a perfect stranger would have no difficulty in taking ships drawing from 19 to 20 feet to New Westminster.

His Excellency Governor Seymour,
&c. &c. &c.

I have, &c.
(Signed) JOHN KINGCOME,
Vice-Admiral, Commander-in-Chief.

Sir,

H.M. Ship "Tribune," Esquimalt, 13th July 1864.

WITH reference to your communications of the 7th and 9th June to his Excellency the Governor of British Columbia, relative to the navigation of the entrance to the Fraser River, I deem it my duty to state that, notwithstanding Her Majesty's ship under my command having taken the ground on her outward passage, I am of opinion that vessels drawing from 18 to 20 feet could enter the Fraser in perfect safety, provided the channel be properly buoyed with marks that can be seen at a reasonable distance.

2. The "Tribune" took the ground because the inner buoy (which is a pole painted a dull whitish colour, only showing 4 feet above water), could not be seen until after a careful search with a spy-glass for 10 minutes, although only 600 yards distant when the ship struck; the next buoy (No. 4, black and red), a mile further down the channel, being plainly in view at the time. The colour of the water and the inner buoy were almost the same.

3. The Chart No. 1,922 was useless, and having no local knowledge, I could not judge by my distance from Garry Point that I was running into danger.

I have, &c.
(Signed) GILFORD, Captain.

Enclosure 2 in No. 9.

Encl. 2 in No. 9.

Colonial Secretary's Office, 24th March 1864.

THE Governor directs the publication of a petition, with 321 signatures, forwarded to him from Victoria, praying for the amendment of the Customs Act of the present session, together with his reply.

By command,

ARTHUR N. BIRCH.

To his Excellency FREDERICK SEYMOUR, GOVERNOR of BRITISH COLUMBIA, &c. &c.

The petition of the miners, traders, and others, citizens of British Columbia, now in Victoria, and unanimously adopted at a public meeting held February 25th, 1865,

Humbly sheweth:

Whereas our honourable Law makers have lately passed an Act increasing largely the duties on imports into our Colony, and we, the miners, traders, and citizens of the Colony, who have all our interests there, and a natural earnest desire to see it progress and prosper, deem it to be our privilege as well as our duty to consider calmly, deliberately, and most respectfully this action, and to give the full and honest expression of our views on the subject; therefore:

1. *Resolved*, That in our judgment the Customs Amendment Ordinance, 1865, is an act of legislation which is inopportune, unwise, impolitic, unjust, and inequitable in its general provisions.

It is inopportune:

1st. Because it largely increases the cost of living in the Colony at a time when the mining and trading interests of the country can least afford to bear such an increase. The past season was in every sense an unprofitable one. The miner's labour was to a great extent spent in preparing for future operations, and his profits were consequently small. The trader shared the small profits of the miner. This has produced a general feeling of distrust and depression in the country. The increased taxation only tends to add to this feeling, and thus deter both men and capital from going into the country.

2nd. Because a gold export tax of three per cent. has just been imposed on all treasure leaving the Colony, which is in itself a heavy increase upon our former taxes. When to this is added a high tariff on all the necessities of life, it becomes a burden from which men regarding their best interest will flee when the first opportunity is offered.

It is unwise and impolitic:

1st. Because it will not increase the revenue of the Colony, The great diminution in the amount of imports into the Colony caused by this tariff will diminish the aggregate revenue so much that there will be a large deficit to be made up next year, when the mining population will be so small under the operation of onerous taxes that it cannot be collected. No direct importations into the country can prevent this result, even if such importations should enable traders to furnish supplies at the same cost that they could have done under the old tariff.

2nd. We believe there are rich deposits of gold in the wildest and most inhospitable portions of the Colony. These gold fields are as yet unexplored and undiscovered; it will require men and capital combined to discover and develop them. In many instances large companies have been organized and other preparations made to send capital into the country for this purpose. This tariff discourages and cripples all such operations by an unfair increase upon all the articles and implements required for their work. Prospecting in the Colony, upon which so much of our future success depends, is thus checked, if it is not entirely prohibited.

3rd. There are hundreds of men in the Colony who have spent all their means and time during the past three or four years without success. Within the small distance of one and a half miles on Williams Creek, six hundred thousand dollars have been thus spent. These men have experience in the country, they are not altogether discouraged, and they purpose to go again into the mines with the hope that they will yet be able to get something in return for their lost labour and means. This tariff discourages such men, and will force them to gather up their small earnings for the season and leave the country for ever.

4th. The small trader and packer, who has invested his means in provisions, and is now on his way or about to start for the Colony, will be compelled to seek another market. He cannot pay a double tariff and compete with those traders now in the country. He will find a better and more profitable market in the neighbouring gold fields of Washington and Idaho territories.

It is unjust and inequitable:

1st. Because the increase in the absolute necessities of life far exceed that on the luxuries, thus making the labourer in the country bear the main, if not the whole, burden of the taxation. As an instance, the tariff on beans, one of the principal articles of consumption by the miner, is increased from 3 to 20 per cent., while that on ale and porter is only increased from 10 to 40 per cent.; the tariff on flour is increased more than threefold, while that on wines is only doubled.

2nd. The tariff is made to take effect at once, thus causing a sudden and quick rise in provisions in the mines just as the season begins. By this means the miner will be forced to pay famine prices in the spring, and perhaps be driven by necessity to leave the country before he has had a fair chance to go to work profitably. A reasonable notice for the enforcement of such a measure is customary in other countries, as it is equitable and fair.

II. *Resolved*, That in our opinion the idea that such a tariff will encourage direct importations to the Colony from distant ports is a fallacy, with reference to British Columbia, which has no foundation in reason, and will result in no good to our Colony. The legislators of British Columbia cannot control the laws of commerce. Such legislation is not more onerous to the consumers of the country than it is impracticable and futile for the purposes for which it was enacted.

III. *Resolved*, That we will hereafter vote for no man who favours an increase of taxation in British Columbia, believing as we do that the burdens of the people of that Colony are greater than they can bear.

IV. *Resolved*, That a copy of these resolutions be prepared for signature, and when signed by the miners and traders of British Columbia, now in this city, and by none others, they be forwarded to his Excellency Governor Seymour, who is hereby most respectfully requested to lay them before the Honourable Council and Legislative Assembly for their consideration, with this as our prayer, that they will cause the Customs Amendment Act to be revised, to suit the circumstances of the country.

Signed by JOSEPH F. PASCOE and 320 others.

GENTLEMEN,

New Westminster, 23rd March 1865.

I HAVE had the honour to receive, on the 18th instant, from the hands of the gentleman selected by the people of Cariboo East to represent their interests in the Legislative Council, the petition adopted at a public meeting held in Victoria on the 25th February 1865. You object to the Customs Ordinance lately passed in forcible terms, and give your reasons for the objections you entertain. You state that your expressions are full and honest. Of this I feel no doubt, and I am induced in return to give you some honest explanations. Though I do not observe appended to the petition many of the names most familiar to me in Cariboo, yet the opportunities of direct communication between the Governor and the mining population are so few, that I am willing, for the purpose of replying, to consider your petition as expressing in some measure the opinion of the miners of British Columbia.

The general principles of the Bill which has now become law were adopted by the Legislative Council before my arrival in the Colony. Understand that I am not wishing to throw any of the responsibility that belongs to me on others. I shall not assent to any measure that I am not prepared to defend. The law I found in force, and which has now been repealed, contained the objectionable and unusual clause, that the value of the commodities introduced to this Colony should be calculated at the place of import; thus taxing freight, and making the ship while on her voyage contribute to the support of the public institutions of this Colony. The rate of duty appeared in the tariff to be so much, whereas at the Custom House a very considerable additional tax was added. Many of the miners of the Colony were not aware of this arrangement, and a comparison of the schedules attached severally to the late and the present Acts was calculated, with them, to give rise to the impression that large additional duties have been imposed—an impression totally unfounded where articles are water borne to this Colony from the place of their growth or manufacture. In all such cases the duties are now lower than they were; and if you see the import duties estimated in our Ways and Means as more productive than last year, it is because we expect to have a much larger population in the Colony, not that we have a wish or an expectation to raise an additional cent in the import duties from any one of you. But your own practical experience may lead you to say that at the present moment you pay a heavier import duty than you did last year. I reply that goods landed and stored at Victoria still pay, in conformity with the principles of the new measure, a duty higher than those coming direct from the place of their manufacture or growth.

It will probably be represented to you, in the town from which you address me, that the late Customs Act has been drawn upon principles hostile to Vancouver Island. Such is not the case. All the products raised by the agriculture or manufactured by the skill and industry of the sister Colony

receive, from her proximity, a protection in our markets. The beer, the cider, the carriages, whatever is made or grown on the island, enters on highly favourable terms into competition with similar articles introduced from California or Europe. If Vancouver Island is not in a position to profit by this beneficial arrangement of our law, you will see that that is no reason why Victoria should, by doing the principal commercial operations of this Colony, levy a toll on all we use or consume.

But I by no means wish to deny that there is an appearance of unfriendliness towards the place from which you write, and I doubt not but that the expressions of "unjust and inequitable," which you apply to our recent legislation, would find wide echo there. But the reasons which induced me to give my sanction to the new law were exactly the reverse of those attributed by you to the legislation of this Colony.

It is, beyond all things, just and equitable that a community, like an individual, should make arrangements for the payment of the debts it may incur. You are aware that British Columbia has been a large borrower of money, laid out, you will allow me to say, almost entirely in facilitating access to the gold mines, and thus reducing the expense of living there. What is the security of this debt? We can hardly flatter ourselves that the Colony, which most of you gentlemen leave by the very first opportunity when the mining season closes, would have sufficient attractions to induce you to return to our gold creeks if richer temptations offered themselves elsewhere. The non-resident traders, who derive nearly all the profit from the commercial transactions of this Colony, are not, of course, in any way liable for its debts. The best security would be in a resident population, and it is but reasonable that those who have made of this Colony their home, at whatever risk, should have the larger share of the profits of its commercial transactions. Let the merchants who wish to share in the benefits come to the Colony and share likewise the risks; and I would venture to remark that, if you and the other miners who now live but half the year in British Columbia were to remain here during the 12 months, the taxation would fall much lighter on all.

You will perhaps here observe, why do we not, by accepting the proffered union with the neighbouring Colony, extend our responsibilities and area of taxation over the merchants of Victoria and the miners who spend their winter in that town? I do not feel called upon to pronounce now an opinion on this subject, but I would observe that no proposal for union, which offered any prospect of acceptance here, was made in Vancouver Island until the formal notice was given of the Customs Act to which you object.

I have, however, no fear as to the ability of the Colony to meet its present and probable prospective indebtedness; but this should not be left to chance. The reduction in the cost of living, which, I will show you, must take place at Cariboo, will make your labours more profitable, and thousands are now approaching our southern boundary to work our newly-discovered gold fields and share temporarily at least in the public burdens.

You see that I do not assent to the main propositions contained in your address, therefore I will not follow you into details. I know that the immediate operation of the new Customs law is disagreeable; its benefits not yet within your reach.

You have selected the article of beans specially for comment; an article bulky, but of small intrinsic value. Compare the price of beans at New Westminster and Williams Creek, and see what makes them dear at the latter place. It is the transport, not the tax. If all the beans for future consumption were to be stored in Victoria, introduced at the highest duty, and no improvements were made in the communications, the difference of price would be infinitesimal and utterly inappreciable in the miner's daily meals. But we look for direct importation, which would, before the season is over, reduce the price of all articles in Cariboo to a lower standard than yet seen there. With moderate charges, telegraphic communication, and a road completed, as I anticipate, through from New Westminster to Williams Creek, the northern mines will present more attractions to the fortunate holders of claims than they have yet done.

I will only notice one other remark in your petition. You say "a reasonable notice for the enforcement of such a measure" (the Customs Ordinance) "is customary in other countries, as it is equitable and fair." You may perhaps not be aware that when the Chancellor of the Exchequer's financial statement is made in the House of Commons, an order is at once given for the enforcement of any alteration of duties he may suggest in anticipation of an Act of Parliament for the purpose. However, in the instance of the British Columbian Customs Ordinance there was elaborate notice given. The principles were adopted by the Legislative Council on the 18th February 1864, before I reached the Colony. I stated on the 28th April that I should consider the question in the recess. On the 12th December I gave notice that a measure of the kind would be introduced. On the 12th of January I distinctly stated the Bill to be that of last year. No approaching measure could well have had more thorough ventilation.

And now that it has passed it must be allowed to be to a certain degree tentative. You and I differ widely as to its merits. Let us give it a fair trial, and before the next session I shall be prepared to receive (I hope, personally, on Williams Creek), with every respect, your more experienced opinion. Depend upon it the last thing the Government of this Colony would desire to do is to discourage the miners from developing its resources, or allow any large body of our population to lapse into a state of political discontent.

The Standing Orders which I framed for the adoption of the Legislative Council provide that no petition shall be presented without an endorsement stating that it is "perfectly respectful and deserving of presentation." I am half inclined to doubt whether the terms "unjust and inequitable" applied to recent legislation can come within this definition, but I have no doubt that respect for the presenter and to the petitioners, whom the Governor is willing to consider as, to a certain extent, representing the miners of Cariboo, will secure for it an indulgent reception when I lay the petition, together with a copy of this letter, before the House.

I have, &c.
(Signed) FREDERICK SEYMOUR.

Messrs. J. F. Pascoe, S. Hodge, Hugh Gartland,
And the other signers of the Victoria petition.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

Enclosure 3 in No. 9.

MEMORANDUM by the COLLECTOR of CUSTOMS, NEW WESTMINSTER.

Encl. 3 in No. 9.

At the end of last January the schooner "Onward" went into Burrard's Inlet, and the master, McKay, sent one of his hands across to the custom house to enter and clear the vessel for Queen Charlotte's Island. The man brought a manifest with two articles only entered on it. Of the provisions on board that would be subject to duty he knew nothing, and I told him to return to the vessel and bring me a written account of them. He came back (the next day, I think) with the list I had asked for, but with a message at the same time from the master to say that he had got a cargo of shingles at the inlet to take to Nanaimo, which suited him better than going north, and I gave him at once a clearance for Nanaimo. I would as readily, if he had asked for it, have given him a clearance for the north coast. It was a matter entirely of calculation on the part of the master; and the statement of the Chamber of Commerce, that a clearance was refused unless the vessel came to New Westminster, is untrue.

In the same paragraph of the report of the Chamber of Commerce it is stated that New Westminster has constantly received supplies from Burrard's Inlet when the river has been closed. It has happened, within my experience of six years, once, and once only, in 1862, when the weather was unusually severe.

In this present year the weekly steamer has missed but one trip, and that was not because of ice in the river, but because the mail was brought to us by another vessel.

Custom House,

30th March 1865.

(Signed) W. HAMLEY.

P.S.—On the 4th of January the "Meg Merrilies" went into the inlet with provisions for the working party at Port Neville; the duty was paid here, and I sent Mr. Wyld across to examine and pass the goods.

(Signed) W. H.

Encl. 4 in No. 9.

Enclosure 4 in No. 9.

The "North Pacific Times," Friday, March 17, 1865.

RESOLUTIONS of the VICTORIA CHAMBER of COMMERCE.

HITHERTO the outcry of the Victorians against the recent action of our Legislative Council has seemed to spring from a feeling of panic—blind and without reason. Our own new tariff came close upon the heels of the most exciting election ever held in Victoria, and at a moment when the party who were seeking to change its entire policy had emerged from the struggle flushed with success. De Cosmos and McClure, in their eagerness to establish their union and tariff sentiments as the voice of the people, and undoubtedly contending against the whole moneyed power of Victoria, can well be excused for forgetting in the heat of the contest that another party must be consulted in the affair, quite as much interested in the question as the merchants of Wharf Street. This party so overlooked was the small Colony of British Columbia—the cause of the very existence of Victoria as a town of any importance, and at present the consumer of nearly three-fourths of its entire exports. When, therefore, by exertions far surpassing any that had ever been made before they had achieved their return to the Assembly, we can imagine how like a thunder-clap came our new revenue law, and can pass over the bitter things which have been said by them, impugning not only the judgments of our legislators, but their motives also.

Next to this came the "miners' meeting," originating in political trickery, conducted by men who have served a long apprenticeship in "wire-pulling" in the United States, and during the whole proceedings of which, although concealed by the intentional gloss of newspaper reports, we can see a very evident attempt on the part of all influential and sensible men to shirk the responsibility of joining in it. Would it be a difficult matter in any community to persuade a mass of unthinking labouring men that an apparent additional duty upon their supplies was a hardship, while the aim of such duty, and the eventual expenditure of the money collected from it, was steadily kept out of view? And yet, after all the manufactured enthusiasm which was brought to bear upon these men, and the insidious appeals which were made to their selfishness, at the last accounts the whole roll of names upon their monster petition has reached only a little over *two hundred*!

But by the last express we are put in possession of an appeal of a different nature, viz., a series of resolutions by the Chamber of Commerce, addressed to the Secretary of State for the Colonies, and accompanied by a lengthy memorial explaining the causes of the resolutions. This is the voice of capital—a voice entitled to a hearing in every country, yet not apt to be more truthful or unselfish than that of the rabble. In the present instance, we think, this plausible and specious document can be shown to be onesided, not in all respects entitled to credence, and in every line breathing attachment to Victoria, without the slightest reference to the interests of our own Colony.

Our limits preclude us from giving these resolutions at length. Suffice it, the first one proclaims "an equitable union between the two Colonies as essential to the maintenance of imperial and local interests on the North Pacific." The second one declares "the maintenance of the free port system to be of vital importance to the prosperity of Victoria and Vancouver Island," and "direct taxation to be the only politic and equitable method of raising a revenue."

It strikes us that in the very outset of the report a strange error was committed by gentlemen of so much intelligence, and representing as they do the commercial interests of so important a town as Victoria. They ask first in strong terms for union with British Columbia; then, in the whole of the

subsequent report, every argument that is adduced is simply applicable to Vancouver Island alone, and not the slightest reference is made to any measures or policy calculated to benefit us should union be granted. Would not their report have been far more suggestive of their business habits if they had first urged the advantages of union, and then have proposed a code "equitable" and fair to both Colonies in the event of such union taking place? Either their present report is a piece of special pleading, to attract the attention of the Home Government from the real point to be considered, or the astuteness of these gentlemen shows them that union will not probably take place against our will, and that their only hope is to retain their free port. We are inclined to the latter view of the case.

Let us consider this question passed over in so politic a manner by these gentlemen, and see what would be an "equitable union." Clearly in their minds, a single Government for both Colonies, whose head-quarters should be in Victoria, and an amalgamation of their revenue of 30,000*l.*, and our own of 150,000*l.*, to be used jointly for the support of both Colonies. Well may they ask for this for Victoria, for it at once relieves the Government of the immense burden of that deficit shown in the recent estimates. But in return for the pecuniary favours received from this Colony, what is given? The privilege of being governed by absentees—a privilege, the value of which has in former years been fully tested. A continual struggle against the moneyed power of Victoria in all elections (and the unscrupulous manner in which the last election was conducted gives us a slight foretaste of what it would be in other circumstances)—a monopoly of all business, and all freedom from taxation for Victoria, to the entire ignoring of our own claims! They are willing to consent to union with our revenue, but not to give up their pet free port! Why, if we were one Colony, should the inhabitants of Victoria be free from indirect taxation more than any other part of the country. Where would the line be drawn, enclosing the favourite town within its limits, and excluding all the rest of the population of Vancouver Island from its benefits? Or would they admit Nanaimo and the other towns on the island into their family circle? We should then see the anomaly of the residents of one side of the Gulf of Georgia paying 15 and 20 per cent. duties on their supplies, and the other going scot free. In no event could the free port be continued without a gross injustice to all who were excluded from its privileges.

The idea is advanced in this report that British Columbia is indebted largely to Victoria for its prosperity, because, forsooth, our merchants buy their goods of Victoria houses! Is not this a strange idea for mercantile men to promulgate? What has built up Victoria but the mines of British Columbia? What supports its extensive trade now but British Columbia demands? What makes the price of real estate rise and fall like the tides, but reports from Cariboo? And which is the most indebted—we who may perhaps owe in dollars for the last shipments of bacon and beans that were made,—or they who owe their prosperity and even their very existence as a community to our exertions?

There is *not*, as they say, a disposition on the part of our rulers "to sacrifice the material interests of British Columbia at large," in order to elevate New Westminster above Victoria. Instead of that, before the passing of the last tariff, the question was carefully considered, and it was admitted on the part of the Government, that with a resident population of 10,000 persons in this Colony, sufficient to induce direct trade, the revenue would be diminished instead of increased.

But our limits will not allow us to show up this report thoroughly. In addition to the points to which we have alluded above, we are sorry to state that in some instances they have seriously deviated from the truth. A paper emanating from so important a body as this one does is supposed to be based upon *facts* alone, and correct even in its minutest particulars. What weight will be attached to it by the Secretary for the Colonies when it is proved that statements are made which are absolutely incorrect?

We will refer briefly to two or three. They say, "A case recently occurred in which a schooner bound for Queen Charlotte's Island, with supplies for some miners supposed to be short of provisions, went to Burrard's Inlet, a distance of seven miles overland from New Westminster, was refused a clearance unless she came to New Westminster, and ultimately returned to Victoria."

The facts, as we obtain them from the custom-house authorities, are simply these: about a month since the schooner "Onward," Captain McKay, came to Burrard Inlet, and sending a man into the custom house without a manifest, asked for a clearance for Queen Charlotte's Island. He was sent back with directions to the captain to send the manifest of the vessel, and pay the custom duties on the cargo, when a clearance would have been given him. Instead of doing this, he found a cargo of shingles, and returned to Vancouver Island. No clearance was refused on account of his not being in port, but one would have been granted upon his payment of the usual duties.

Again, they declare that they are unable to avail themselves of New Westminster as a port of original shipment on account of "the intricate, narrow, and uncertain channel through the Sand Heads at the mouth of the Fraser, available for ships drawing 16 feet at the utmost,"—"the subsequent danger and delay attending the river navigation, and the closing of the river by ice from time to time during the winter season, extending over four months." Thus discourseth the Victoria Chamber of Commerce. About our navigation what says Captain Richards, who spent years in surveying the Gulf of Georgia and waters in this vicinity? "Fraser river, in point of magnitude and present commercial importance, is second only to the Columbian on the north-west coast of America. In its entire freedom from risk of life and shipwreck, it possesses infinite advantages over any other river on the coast. Vessels of 18 to 20 feet draught may enter the Fraser and proceed as high as Langley, or a few miles above it, with ease, provided they have or are assisted with steam power."

Which will be received as worthy of evidence at home, the *ex parte* and interested statement of a body of men seeking to establish the stability of their own investments, or the written testimony of a navigator whose charts are universally acknowledged to be singularly reliable and free from error? The last paragraph, regarding the ice, is a very grave misstatement. Never, except during the winter of 1862, since New Westminster was a city, has the navigation been impeded a month during the winter; and during the present and the last two winters not a week has elapsed when it was impossible to reach the town. Even during the winter of 1862, when the Columbia river was entirely closed, the ice blockade continued here but two months and four days, instead of four months. The same thing occurred to Portland, a town situated inland more than five times the distance that we are, struggling against the

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

same difficulties of navigation, threefold enhanced, and yet retaining, without an effort, its position of a commercial dépôt of supplies for a population of 75,000 people.

With these remarks we will leave this document. Its specious arguments, and its gross misstatements of facts, render it unworthy of the body from which it emanated. Its evident bias will destroy its effects upon those to whom it is addressed.

No. 10.

No. 10.

COPY of a DESPATCH from GOVERNOR SEYMOUR to the Right Hon. EDWARD CARDWELL, M.P.

(Separate.)

New Westminster, March 29, 1865.

(Received May 30, 1865.)

SIR,

I AM aware that I have not communicated with you as fully and rapidly recently as I ought to have done. My first apology must be an extreme pressure of business during the Legislative Session; my second, the extreme irregularity of the postal arrangements. The American steamers are very irregular in their arrival at Esquimalt; and during the winter the Hudson's Bay Company run their steamers as seldom as they can to New Westminster.

I presume that the Governor of Vancouver Island will have informed you of the efforts made in that Colony to procure annexation to this. Here the feeling is strongly opposed to the proposed connexion. Indeed I cannot see how it could in any way benefit British Columbia; and it is impossible to avoid perceiving how, under the former Government, this Colony was unduly depressed to raise Victoria to an artificial prosperity. New Westminster presented a miserable aspect of decay and disappointment, while Victoria, though considerably more prosperous in appearance, astonished all strangers at the little progress a town, through which had passed many millions of gold, had made.

* These will be found enclosed in Governor's Despatch, No. 30, of 21 March 1865, page 20.

Among the means adopted by the people of Victoria for bringing about union has been that of trying to create in our mining population dissatisfaction with the financial arrangements of this Colony. I enclose an address presented to me by a body of Victoria shopkeepers and Cariboo miners, together with my reply.* There are but three names in the 300 which would carry weight in Cariboo, and it is by no means out of respect for the petitioners that I have answered so fully. My answer appears to have given satisfaction, and I would beg leave very respectfully to call your attention to the statements it contains.

I learn, on inquiry from the Governor of Vancouver Island, that he sent on to you without notice to me, or comment from himself, certain resolutions and statements passed and made by the so-called Chamber of Commerce of Victoria. The statements are very incorrect, and I have expressed to Governor Kennedy my regret that he should have sent them on without my having the opportunity of refuting them.

There seems every likelihood of our having a rush to the newly-discovered gold diggings. The season is, however, unusually unfavourable, and the upper roads blocked with snow.

The Legislative Session is progressing satisfactorily, and I expect to prorogue next week.

The telegraph which will connect this place with Newfoundland will be completed in about 10 days.

I trust that you will forgive this informal communication made just as the steamer is about to sail.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) FREDERICK SEYMOUR.
&c. &c. &c.

No. 11.

No. 11.

COPY of a DESPATCH from GOVERNOR KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 92, Separate.)

Government House, Victoria, December 1, 1865.

(Received January 24, 1866.)

(Answered, No. 6, February 1, 1866, page 34.)

SIR,

I HAVE the honour to forward herewith a petition from certain merchants, traders, and others resident in Victoria, Vancouver Island, which has been entrusted to me for transmission.

2. I have numbered the paragraphs of the petition to facilitate reference.

3. It is to be regretted that this petition was not presented when the resolutions of the local Legislature in favour of union with British Columbia were passed and transmitted to you in my Despatches Nos. 14 and 16,* dated 21st March 1865.

4. It will be within your recollection that I then informed you that a very decided majority of the electors of the city of Victoria were advocates for the union of the Colonies, accompanied by a tariff, or the imposition of import duties, as evinced in the return of two members to the Legislative Assembly, who at that time offered themselves upon those principles.

* Pages 6
and 19.

5. I now observe with some surprise that several influential persons who supported and voted for those members, and whose influence contributed materially towards their return, have appended their names to the enclosed petition, praying for the "continuance" of the free port policy in its fullest integrity."

6. The following analysis of the signatures appended to the memorial is substantially correct:—

British subjects	-	-	-	88
Americans	-	-	-	33
Germans	-	-	-	21
French	-	-	-	8
Unknown	-	-	-	7

157

7. You will also observe that many of the petitioners sign as the agents for absentees, whether with or without their concurrence is not shown.

8. I will now proceed to offer such remarks upon the petition as appear to me necessary for your information.

9. Paragraph No. 2. It is an undoubted fact that "great commercial depression" has existed, and still exists in both these Colonies, and I am sure that you would have been glad to have learned the petitioners' opinion of the cause or causes of it.

10. These causes, in my opinion, rest with the petitioners themselves, and are beyond the reach of any remedy which you can apply. They may be found in a system of reckless credit, competition, and over-trading. It is notorious that large quantities of goods were thrown into Cariboo market this year by the merchants of Victoria which did not realize the cost of carriage. The supply far exceeded the demand. While this proved a great boon to the working miner, it left the *Cariboo* traders without means of paying their debts to Victoria, and the Victorian merchants without payment for the goods they supplied. To this obvious cause for "depression" may be added the more stringent administration of the customs laws at San Francisco and neighbouring American ports where a large amount of goods were formerly introduced from Vancouver Island without going through the formalities of the custom house.

11. I may further remark that this "depression" is by no means confined to British Columbia and Vancouver Island. Many thousand persons are departing monthly from San Francisco, owing to the same causes which my experience leads me to believe are common to all mining or gold producing countries, and will continue more or less till men become honest and prudent.

12. Paragraph 4. As regards Vancouver Island, I am of opinion that the character and small number of the population render the present form of government inapplicable and expensive. The statistics and taxes, as shown in the annual blue book, will enable you to judge whether it can be truthfully termed "a most onerous burden upon all classes." On this subject I would refer you to a recent Despatch of mine, No. 81, 22nd September 1865.

13. Paragraph No. 8. The proclamation declaring Victoria and Esquimalt free ports, simply declares that they "shall be (free ports) until otherwise determined by proper authority."

14. Paragraph 9. The petitioners are obviously in error in stating or thinking that "the vote of the House of Assembly praying Her Majesty to grant an union of these Colonies on such terms as to Her Majesty may seem meet, is not inconsistent with the prayer of your petitioners for the continuance of the free port policy in this Colony." A reference to my Despatches Nos. 14 and 16, 1865, together with the whole tenor of the debates clearly point to "union with a tariff."

15. I concur with the petitioners in thinking that the uncertainty existing on this subject is producing very ill effects upon the business and prosperity of these Colonies,

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

but this uncertainty is, and has been mainly caused by the action of their own representatives, over whom Her Majesty's Government has no control in this behalf.

16. Paragraph 10. My opinion on the subject of this paragraph will be found in my Despatch No. 16, 21st March 1865. I see no reason to alter it.

17. I refrain from offering any opinion on the merits of the different systems of "free port" or import duties as applicable to the circumstances of this Colony, as it must be contingent upon union or no union of these Colonies, on which subject I look daily for information or instructions from you.

18. In conclusion I have only to state that I think this petition ought to have been addressed to the local Legislature rather than Her Majesty's Secretary of State for the Colonies.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

(Signed) A. E. KENNEDY.

Enclosure in No. 11.

Encl. in No. 11.

To the RIGHT HONOURABLE EDWARD CARDWELL, HER MAJESTY'S PRINCIPAL SECRETARY OF STATE for the COLONIES, &c., &c.

The HUMBLE PETITION of the undersigned Merchants, Traders, and others, resident in Victoria, Vancouver Island,

HUMBLY SHEWETH,

1. That, your petitioners having expended a large amount of capital, time, and labour in this Colony, are deeply interested in its welfare and success.

2. That your petitioners view with much anxiety the great commercial depression which has existed for some time, and still exists, both in this Colony and also in British Columbia.

3. Your petitioners beg further to show, that, although the interests of British Columbia and Vancouver Island are identical, yet, since the appointment of a separate Governor for each, a policy (as instanced by the imposition of "*ad valorem*" duties, amounting in effect to differential duties), has been inaugurated by the Government of British Columbia, which has unfortunately proved not only specially adverse to this Colony, but is operating most disastrously upon both, and in British Columbia even to the extent of driving people to abandon houses and farms, and leave the Colony.

4. Your petitioners further show that the number of inhabitants in the two Colonies is so small, that the expense of separate Governments is a most onerous burden upon all classes.

5. That only upon the faith of the permanent maintenance of Victoria as a free port, the mercantile class, capitalists, and others, expended large sums in the purchase of land, and the erection of wharves, warehouses, and buildings, and made Victoria so entirely the source of supply for British Columbia, that up to this time there is not a single importing house in that Colony.

6. With Victoria capital nearly the whole business of British Columbia is carried on, and almost every enterprise in British Columbia, whether of trade, mining, or the building and employment of steam boats, has been undertaken by the commercial community of Victoria.

7. That Vancouver Island, as far as it has been already explored, does not contain much land fit for agricultural purposes, the greater portion of it being mountainous, and densely wooded, but it is known to be rich in deposits of coal, iron, copper, gold, and other minerals.

8. From its commanding geographical position, Victoria is eminently adapted for a commercial dépôt for the North Pacific, and owing to its free port, has attracted commerce from Mexico, California, the Sandwich Islands, Oregon, Washington Territory, the Russian possessions, India, China, and Japan.

9. Your petitioners are of opinion that the vote of the House of Assembly of this Colony, praying Her Majesty to grant an union of these Colonies on such terms as to Her Majesty may seem meet, is not inconsistent with the prayer of your petitioners for the continuance of the free port policy in this Colony, a policy which they fully believed when they settled here, and invested their means in permanent improvements, was fixed and decided upon by Her Majesty's Government, and strictly guarded by the instructions issued to Her Majesty's representative here, and published in a proclamation of 18th January 1860, declaring the port of Victoria to be a free port. And your petitioners now pray that in any union of the two Colonies which may be decided upon, the continuance of the free port policy in its fullest integrity in this Colony, may be provided for and definitely settled, so that confidence in the policy of the Government may not be shaken, as the uncertainty existing in this respect had been for some time past producing most disastrous effects upon the business, prosperity, and property of both Colonies.

10. That the union of these Colonies that would be most advantageous for both, in the opinion of your petitioners, would be one having the nature of a federal union, having one Governor, with one civil list, as far as practicable, one code of laws, common jurisdiction of the law courts over both Colonies, with a court of appeal, and leaving the financial matters of either Colony separate, as at present.

11. Your petitioners are strengthened in their opinion of the vital importance to this Colony of the continuance of the free port policy, by the views expressed in a report and series of resolutions of the Chamber of Commerce of Victoria, and of which your petitioners desire to be allowed to append a copy, and make part of this petition.*

12. Your petitioners lastly urge, that in this Colony there are many engaged in commercial pursuits not entitled to the exercise of the franchise, but whose interests are bound up in the Colony in which their capital is largely invested and employed, and whose voice cannot be heard unless in the way of

* The Report and Resolutions of the Chamber of Commerce will be found as an Enclosure to Governor Kennedy's Despatch, No. 15, of the 21st March 1865, printed at page 13.

special memorial like the present ; and this your petitioners beg respectfully to set forth will appear by a reference to the Government Real Estate Tax Lists of the city and district of Victoria, the list of voters for the same, and the Governmental list of trades licences appended hereto, and which they pray to make part of this petition, by which they affirm that the bona fides of this petition will be fully established.

And your petitioners, as in duty bound, will ever pray.

(Signed) D. BABINGTON RING, Chairman, late Acting Attorney-General
and Member of the Legislative Council in the Administration of Sir James Douglas ; and 140 others.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

No. 12.

No. 12.

COPY of a DESPATCH from Governor KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 97, Separate.)

Government House, Victoria, December 16, 1865.

(Received February 12, 1866.)

SIR,

I HAVE the honour to enclose the copy of Resolutions passed by the Legislative Assembly of this Colony, on the 13th instant, on the subject of union of this Colony with British Columbia.

13th Dec. 1865.

I have nothing to add on this subject beyond that which is contained in my Despatches, Nos. 14 and 16,* of the 21st March 1865.

I also enclose, for your information, copies of communications which have passed between the Legislative Assembly and myself on this subject.

* Pages 6
and 19.
Resolution of
Legislative
Assembly.
7th Dec. 1865.
Message of
Governor
Kennedy.
12th Dec. 1865.

The Right Hon. Edward Cardwell, M.P.
&c., &c., &c.

I have, &c.
(Signed) A. E. KENNEDY,
Governor.

Enclosure 1 in No. 12.

Encl. 1 in
No. 12.

VANCOUVER ISLAND.

RESOLUTION passed the Legislative Assembly December 13, 1865, read second time and agreed to, December 1865.

"1. Resolved,—That this House fully endorses the union resolutions passed by this House on January 25, 1865, and would again repeat its conviction, that an immediate union of Vancouver Island and British Columbia is necessary, beyond every other measure, to impart confidence to the public mind, and place both Colonies on a prosperous footing.

"2. Resolved,—That although this House has already shown its willingness to accept whatever constitution 'Her Majesty's Government may be pleased to grant,' it would fail in its duty to the people of this Colony, as well as to Her Majesty, did it not express its conviction that no constitution would be adapted to the growing wants of these Colonies that did not embrace a representative government that would give to the people the right to determine the mode as well as the amount of taxation, and that would make the official heads of departments responsible to the people of the United Colony.

"3. Resolved,—That the above resolutions be transmitted to his Excellency the Governor with the respectful request that they be forwarded as early as possible to Her Majesty's Secretary of State for the Colonies."

(Signed) R. W. TORRENS,
Clerk of the House.

Enclosure 2 in No. 12.

Encl. 2 in
No. 12.

VANCOUVER ISLAND.

RESOLUTION passed the Legislative Assembly December 7, 1865.

"Resolved,—That an humble address be presented to his Excellency the Governor, praying him to lay before this House copies of all public despatches forwarded by his Excellency to Mr. Cardwell in reference to the resolution passed by this House in June 1864, in connexion with the Crown Lands, and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed this House in January last."

(Signed) R. W. TORRENS,
Clerk of the House.

Enclosure 3 in No. 12.

Encl. 3 in
No. 12.

VANCOUVER ISLAND.

No. 92.

Government House, Victoria, December 12, 1865.

To the Honourable the SPEAKER and MEMBERS of the LEGISLATIVE ASSEMBLY :

GENTLEMEN,

I HAVE the honour to acknowledge the receipt of an address from the Legislative Assembly, praying that I would lay before the House "copies of all Despatches forwarded to Mr. Cardwell in reference to the Resolution passed by this House in June 1864, in connexion with the Crown Lands

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

No. 10, Feb. 2,
1865
and enclosures.
No. 23, April
15, 1865.

" and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed the House in January last."

With the most earnest desire to meet the wishes of the Legislative Assembly, and afford the fullest information on these subjects, I regret that I am precluded from complying with the conditions of their address without the sanction of Her Majesty's Secretary of State for the Colonies previously obtained.

I now, upon my own responsibility, lay before the House extracts of Despatches transmitted by me on the subject of the Crown Lands of Vancouver Island, relating to the matters treated of in the Despatch of Her Majesty's Secretary of State recently laid before the House; but the production of Despatches addressed by me to Her Majesty's Secretary of State on the subject of the "Union Resolutions," either in whole or in part, before I had received replies thereto, would be a manifest breach of duty, and wholly without precedent.

The object of the Legislative Assembly in the present instance will be probably attained by my stating that in addressing Her Majesty's Secretary of State in March 1865, I expressed my deliberate conviction that the union of these Colonies would be conducive to the best interests of both, and my earnest desire that it should be consummated.

My subsequent experience having fortified that conviction and sentiment, I continue to be firmly of opinion that the Colonies of British Columbia and Vancouver Island should be united, and that the union of them would be an important means of securing their substantial progress and prosperity.

I have, &c.

(Signed) A. E. KENNEDY,
Governor.

No. 13.

No. 13.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to Governor KENNEDY, C.B.

(No. 6.)

SIR,

Downing Street, February 1, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 92,* of the 1st of December, enclosing a petition addressed to me by the merchants, traders, and other residents in Victoria, Vancouver Island.

I have to request that you will inform the memorialists that the interests to which they advert will not fail to receive careful consideration.

I have, &c.

Governor Kennedy, C.B.
&c.

(Signed) EDWARD CARDWELL.

No. 14.

No. 14.

COPY of a DESPATCH from Governor SEYMOUR to the Right Hon. EDWARD CARDWELL, M.P.

Rue de la Paix, Paris, February 17, 1866.

SIR,

(Received February 24, 1866.)

As you did me the honour of consulting me respecting the resolutions of the Legislative Assembly of Vancouver Island, praying that that Colony might be united to British Columbia, I would now venture to express in writing, I believe in accordance with your wish, my views upon the subject.

2. I think that the Assembly has faithfully represented the desire of the majority of the population. So great is the anxiety for union existing in Victoria, the political centre of the Island, that the conditions are left entirely for you to determine. Nanaimo, the second town, I believe, faintly wishes for the amalgamation of the two Colonies, but the people there are prosperous, contented, and the best feeling exists between them and the colonists of the mainland.

3. The question of the relations of the two Colonies is one of great difficulty. They were, until recently, united to the extent of having a Governor in common. But the dissatisfaction in British Columbia, at the state of things which then existed, was such that your predecessor effected the separation now found so irritating to Victoria.

4. Under the system which the Duke of Newcastle abolished, the government of British Columbia was carried on from the capital of another Colony. The Governor and principal public officers drew full pay from the main land and lived on the Island. The people of Victoria profited by the expenditure of the proceeds of taxation levied on another community, and were at the same time, by the freedom of the ports, relieved from the payment of the heavy import duties, which fell on those who made of British Columbia their home. Whether it was wise ever to make two Colonies of the territories lying west of the Rocky Mountains, it is useless now to inquire; but colonists having been invited to settle on the continent on the faith that they were to form an independent

community, possessing their own government and capital, the old system was found to be manifestly unjust, and your predecessor, listening to the voice of the protesting colonists, effected the separation so joyously received in British Columbia.

5. I say confidently that that Colony has not altered its views. It has had the one great wish gratified and dreads all change. I have heard this denied by Victoria politicians, and I have in vain asked them for any evidence to support their denial. If a desire for union has arisen in the Colony, how does it show itself? The gentlemen who successfully appeal to the people for nomination to the Legislative Council pledge themselves to opposition to union. The Council, on this subject entirely unfettered by me, vote unanimously against it. The issue was fairly tried wherever there was a chance of success. Petitions were printed in Victoria recommending union and the abolition of unpopular taxation and circulated in the mining districts, but they remained unsigned. Indignation meetings were called in Cariboo, but no one would attend. A newspaper was started in that district specially to advocate union and oppose the local government. The miners merely protested against the scurrility of their professed organ, and when extraneous assistance was withdrawn it died from want of their support. I am, for many reasons, anxious that the desire for union should exist in British Columbia. It does not.

6. The efforts of the merchants of Victoria to create such a desire in the mining districts were, however, vigorous and well timed; not very high principled, but showing considerable political dexterity. It was felt that union, as a separate question, could stand no chance of obtaining a hearing in Cariboo, but it might meet with some attention on the hustings, coupled with an abrogation of the export duty on gold, and a general reduction of taxation. Systematic agitation might, possibly, stir up the feeling against the gold tax to a sufficient strength to drag into light its self-imposed associate, union. I do not deny the unpopularity of the export duty, but the miners are aware that it was imposed with the consent of their own Mining Board, and voted for by their elected Members of Council. They know the requirements of the Government, but above all they know that it requires no change in their political condition, no assistance from without, to relieve them from any burdens unanimously affirmed to be distasteful.

7. It would have been well if Victoria had earlier passed the resolutions in favour of unconditional union. It was not until the efforts to obstruct the Government of British Columbia, by shaking the confidence of the people in its justice, had proved vain that the wise course was adopted. Though, I shall presently show that the larger Colony has progressed greatly since it attained a separate existence, yet it did not escape entirely uninjured from the self-damaging attacks of the Victoria politicians. The prosperity of both Colonies depends principally on the power of the gold mines of the mainland to attract a considerable share of the large floating population which, centred in winter in California, seeks in the public prints and in every rumour, a guide to direct its steps to the most profitable field for summer labour. The Victoria papers and their Cariboo representative, during its short existence, represented British Columbia to be overtaxed and unjustly governed. Many persons, undoubtedly, in San Francisco took the English reports on English mines and management as correct, and turned their steps towards other gold fields which American speculators took care not to depreciate. The efforts of the Victoria agitators were thus partially successful. The great objects of intimidating the Government and exciting disaffection failed, but a feeling outside the Colony was created against the then recent legislation. This success, once obtained, caused alarm in Victoria. Then came the outcry that the miners were leaving the country; merchants from the Island waited on the Governor on the subject, and when the injury was done the Cariboo press was silenced.

8. Even in England, persons connected with Victoria have had a meeting where, in their eagerness for union, they have reported the two Colonies to be languishing or retrograding in their present separation. Reports on the subject, deficient either in candour or information, have been furnished to the leading London journals. I regret that the matter of union should not have been allowed to rest, where it was properly placed, in your hands. Who would emigrate from England to Colonies reported by their own reputed representatives to have early in their career entered on their decline? Who would seek investments in the funds of a community alleged to be daily diminishing in wealth?

9. I am prepared to allow that Victoria is not flourishing. I maintain that British Columbia is so. It may seem strange that their progress is not parallel, and I can believe that the cause has escaped the knowledge of some of the merchants of Victoria. The explanation is, however, simple.

10. The discoveries of gold on the Lower Fraser first attracted to British territory a large portion of the unattached population of Western America. The immigrants came

from Oregon or California by sea. Their detention at the first place of landing created Victoria. The bars on the Fraser were gradually worked out. Now they are abandoned to the labours of Chinamen. But year by year the summer immigrants pushed farther into the interior, still by the valley of the great river. Finally Cariboo was discovered, and its prodigious wealth attracted large numbers of miners, who were fed and supplied from Victoria. Driven from their work by the severe climate in the winter, the "Caribooites" spent some time and much money in that town, and added to the profits of the merchants who had monopolized their market during the working season. There were no large settlements in British Columbia; it was only a Colony in name. There was a gold mine at one end of a line of road; a seaport town (under a different Government) at the opposite terminus.

11. Here was the real cause of the ill-feeling between the two Colonies. The settlers on the Fraser paid gold-miners' duties on all they consumed, while the people of the Island profited by the success of the diggers and paid no import duties. Everything was done to foster Victoria. Where public officers served both Colonies, the Island gave its own half-pay; the full salary was drawn from the heavily-taxed British Columbians, and the whole, this one salary and a half, was spent on the Island. Imperial interests were assumed to be involved in the welfare of Victoria, and people affected to believe that great destinies were in store for the town, they had early begun to name the "Queen City of the Pacific." Meanwhile every man on the mainland knew that the town was kept alive by the British Columbian mines. They petitioned for separation, and they got it. Now, at all events, the proceeds of their taxation are spent among them. Trade is beginning to establish itself on the Fraser. On the other hand Victoria, descending to common sense, seeks, at the sacrifice of her free port and constitution, a close union with the Colony whose wealth is her support.

12. Cariboo was the great customer for Victoria; but Cariboo, with its prodigious wealth, has been found not to be "poor man's diggings," not competent, therefore, to support a very large population. The mines are of limited extent, the gold lies deep, and is expensive to extract. The number of spring immigrants began early to fall off, and in 1865 was smaller than usual. There was no dearth of labourers. Cariboo warned off fresh comers, as every place was full. So it seemed, for with a diminished population, the yield of gold was in the proportion of 9 to 5 as compared with the preceding year. Wages were steady at 40s. a day, and the necessities of life far lower in price than they had ever been before. Victoria continued to do the principal business of these mines; but the population to feed was comparatively small, and Victoria suffered.

13. So did British Columbia to a certain extent. Road-side houses on the Cariboo line became bankrupt as traffic decreased, by diminished immigration and accelerated travelling. The general condition of the Colony was, however, prosperous. The customs' receipts at New Westminster were, by the last account which has reached me, 15,000*l.* in excess of the corresponding period of 1864. I learn that the British Columbian capital "is making great progress; houses and wharves, clearing and fencing "going on everywhere this autumn." And the most hopeful sign of all is beginning to show itself: a disposition on the part of the miners to purchase land in New Westminster or its neighbourhood, and commence the systematic colonization of the Lower Fraser. These benefits in no way assist Victoria, nor can it appreciate the improvement in the general condition of Cariboo, which now induces many miners to winter there instead of squandering their money in Vancouver Island or San Francisco.

14. To the merchant of Victoria the depression he felt in 1865 appeared to extend over British Columbia; but he could only see the valley of the Fraser, while a vaster view lay open before the eyes of the Government of New Westminster. The usual wave of immigration was seen to come to us in equal, if not larger volume than in former years. Many miners were, doubtless, prevented by the Victorian outcry from coming direct to the English Colonies, and the more united Americans secured the preference for their own gold fields of Bois  or C  ur d'H  l  ne. But disappointed hopes soon drove thousands in search of richer deposits. From the sea to the Rocky Mountains, on both sides of the boundary line, the country swarmed with eager prospectors, who rushed backwards and forwards as reports circulated that the gold which all knew to exist had at last been found.

15. Late in 1864 important discoveries had been made near the British Kootenay Pass of the Rocky Mountains, in our territory. It was first through American newspapers that I became aware of a rich and prosperous mining town existing within our limits, about 500 miles due east of New Westminster. Although the Kootenay mines could, at first, be only approached by passing through United States territory, we soon extended British institutions over the new diggings, established Courts of Justice, and collected

taxes. On the disruption of the mining camps of the Boisé country, Kootenay received a considerable accession of population, and in the season of 1865 the new diggings were paying to the Colonial Treasury, in taxes, upwards of a thousand pounds a week. Here was a tangible benefit to British Columbia, which brought no immediate advantages to Victoria. On the contrary, the new mines, which were fed from across the frontier, took away many persons from Victoria's best customer, Cariboo.

16. The American prospectors continued to pour in by every opening in our rugged frontier, and the attraction of the Kootenay itself soon dimmed before the discoveries on the Big Bend of the Columbia. I had fortunately consented to license the running of steamers, under the American flag, in the purely English waters of that river. Crowds arrived, freights poured in, and the advent of winter alone prevented the general rush which is confidently predicted for this year. I am credibly informed that these latest discovered gold mines have, in some places, yielded as much as eight hundred dollars a day to the hand, without machinery. If such be the case we need fear no competition. Victoria has, however, in no way shared, as yet, in the profits. The customs duties levied at Fort Shepherd, on the Columbia, belong to us British Columbians alone. In other parts of the Colony the prospectors have been successful. Near Lillooet, in a fine agricultural district, a stretch of nearly 70 miles of rich auriferous ground has been discovered, and high hopes are entertained as regards the next mining season. I say again that British Columbia is flourishing, and has a still brighter prospect in view.

17. I may observe, incidentally, that the unsuccessful miners from Boisé, or the Cœur d'Hélène, are as valuable to us as an equal number of those who come by Victoria and the Fraser. The citizens of the United States are our boldest prospectors, and not the least law-observing portion of our population. They come to us across the frontier prepared to accept our institutions, their heads undisturbed by political agitation. The carrying out of the last sentence of a Court of Lynch Law sometimes diminishes their numbers as they approach the boundary line; but once it is passed, the revolver and bowie knife are laid aside, and perfect tranquillity prevails under our vigorous administration throughout the Colony. Crimes of violence are now almost unknown in British Columbia, and on the late circuit the Supreme Court did not find a single prisoner for trial at the Kootenay.

18. While British Columbia is reputed to be languishing, it may be interesting for me to mention, though I write without official documents, some of the principal public works which have been accomplished by us in 1865. I premise with the statement that every surveyor and every engineer in the Colony was in Government employ last year. Every discharged sapper, possessing anything like adequate knowledge, was likewise induced to enter our service. A good trail for pack animals has been opened from the Fraser to the Kootenay. The Cascade Range, the Gold Range, the Selkirk Range, have been successively surmounted; with what labour may be imagined, when I state that at the end of May the cutting over the Cascade Mountains had, on each side, seven feet of snow. This trail not only runs through English territory to a gold mine, but it affords, by the British Kootenay Pass, an easy access from the Pacific to the Hudson's Bay lands beyond the Rocky Mountains. Its principal value, however, to the colonists is that it already enables the merchants of New Westminster to undersell those of Lewiston and Walla Walla at the new diggings. A sleigh road has been opened from the seat of Government to Yale, running for upwards of a hundred miles through the dense forests of the Lower Fraser. A bridge has, for the first time, been thrown over Thompson's River, on the main road to the northern mines. Upwards of twenty thousand pounds have been expended on the completion of the high road into Cariboo, allowing machinery at last to be introduced into William's Creek. A large sum in connecting, by a long street, the three mining towns in that locality. A good road now connects New Westminster with the sea at Burrard Inlet, and secures the inhabitants from inconvenience should an unusually severe winter close the Fraser. A light-ship, public libraries, new school buildings, testify to the energy of the Government. If I add that in the year just passed steamers have, for the first time, navigated the Upper Columbia, and that New Westminster has been brought into connexion with the whole telegraphic system of the United States, Canada, Newfoundland, and with Cariboo, I point out an amount of work accomplished in a single summer, I should think entirely unprecedented in so young a Colony. For the telegraphic communication, and the new line of steamers, the Government can only claim the credit of the earnest efforts it has made to second the enterprise of our republican neighbours.

19. I have endeavoured at considerable length to prove, first, that union with Vancouver Island, or the annexation of that Colony is not desired in British Columbia; secondly, that the larger Colony is not in a depressed condition. Possibly external

agitation in connexion with the gold export duty may have to a certain extent impeded her progress. If, in the violent competition on the Pacific to make the mines in the Colony or the States superior to each other in attraction, it be found that the British export duty on gold acts unfavourably to us, I can only say that the tax will be at once repealed. Our great public works are done, and if the export duty, though just, is impolitic, we will not suffer our miners to be over weighted by it in the great struggle.

20. In the face of the reluctance of the Colony over which I preside, to be drawn into any union with Vancouver Island, some explanation is necessary of the motives which induce me to entertain the question at all, instead of confining myself to backing the prayer of my Legislative Council that the existing separation may continue unimpaired. I consider, however, my duty to require of me, that I should not confine my attention exclusively to the internal affairs of the tract of country under my Government, but that I should likewise see to the strengthening of British authority, British influence, and British power in the Pacific, and I at once admit that the existing division weakens all three. The dissensions between the two Colonies are looked upon in the neighbouring States, as rather a scandalous, but novel and amusing feature in English colonization. I am practically aware that it is extremely inconvenient for the Commander-in-Chief of the Pacific squadron to be in communication with two Governors of nominally equal position, close to each other, but many thousands of miles from head-quarters. I see that the Indian population of our north-west coast, wherever the schooner or canoe of the Victoria smuggler can reach, are withering and disappearing under the disastrous effects of the whisky traffic. I must remember that both British Columbia and Vancouver Island have occasionally questions to discuss with their American and Russian neighbours, and that, as things now are, there is nothing to secure uniformity of action or expression in the English representatives. The one may be on the most friendly terms with adjacent powers; the other, in a state of reserve, pending a reference to Europe. I find myself, under these circumstances, compelled to state that, in my opinion, England ought to be represented by one civil authority only beyond the Rocky Mountains. Her Majesty's prerogative could of course effect this, without the aid of Parliament, but if a Lieutenant-Governor be appointed to the smaller and poorer Colony, the change, though an undoubted improvement, would still leave Vancouver Island with a staff of public officers beyond her present ability to support. I fear that the bickerings would not cease, nor Victoria refrain from interference with the affairs of the neighbouring Colony.

21. Without any specific recommendation, I proceed to consider the terms upon which union could be carried out with moderate satisfaction to the one Colony and the least distaste to the other. The Imperial Act 21 & 22 Vict. c. 99. (which has been repealed) provided that, on the petition of the two Legislative Houses of Vancouver Island, Her Majesty might declare that Island to be an integral part of the Colony of British Columbia. This appears to me to be the principle upon which union should be carried out. But British Columbia has since then been favoured with a Legislative Constitution, by an Order in Council, and I am of opinion that no union should take place without the consent of the Legislative Body created under it. This, I think, might be obtained should Her Majesty's Government desire it and equitable terms be proposed. But I would here venture to state that if a return to the old state of things be sought to be imposed on British Columbia the outcry to which the Duke of Newcastle yielded but two years ago, will be renewed with increased volume.

22. An Act of Parliament somewhat similar to that above referred to having been obtained, the consent of the Legislature of British Columbia formally recorded, the Governor's proclamation of incorporation issued, the laws of the main land would at once be extended over the Island. An early revision of these laws would, however, be required. This would hardly be effected, with a due regard to the interests of the newly acquired territory by the present Legislative Council of British Columbia. That body should be dissolved and a new Legislature, with representatives from Vancouver Island, called into existence. Then arises the important question, what shall be the Legislative Constitution of the one great English Colony on the North Pacific?

23. The Legislature of Vancouver Island, of which the extinct provision of the Act, already quoted, contemplated the disappearance, consists of a Governor, a nominated Council, and an elected Assembly. Theoretically, perhaps, the best form of government. It is not for me to inquire how it has worked in Vancouver Island; I content myself with saying that British Columbia is not ripe for such institutions. I found my opinion upon the following grounds:—*First*, on account of the vast number of aliens resident in the Colony, who would, I presume, be excluded from the suffrage were a symmetrical constitution to be established. *Secondly*, because there are but few persons who could devote their time and attention to the public service. We should soon be

reduced to pay our legislators, or fall into the hands of the professional politicians, of whom the neighbouring States furnish to us the model. *Thirdly*, because the uncertain nature of gold mining allows of a "rush" here and a "rush" there, as rich leads are discovered, or old claims "cave in." Away goes the population from the "played out" town. Magistrate and constables follow, and the surveyor and his road-gang have to bring the new diggings into connexion with the markets of the Colony. The Governor must act at once on his own responsibility, and be able to rely with confidence on the passing of a supplementary Appropriation Act, to give a legal sanction to the unforeseen expenditure. *Fourthly*, because our population of Indians is in a proportion of about ten to one of ourselves. They will now obey the great white chief. They understand no division of authority. *Lastly*, because every one in British Columbia, Americans, even more than English, see the necessity of, and wishes for a strong government. All like the power to be mainly vested in one man, responsible to public opinion, and are averse to the professional politician. For the Colonies, if united, I would recommend an adherence to the principles of the legislative constitution of British Columbia, rather than to those of that conferred on Vancouver Island. I would, however, have a much larger proportionate infusion of the popular element than we at present possess.

24. Her Majesty has by Order in Council created a body authorized to make laws for British Columbia. It consists of 15 members, exclusive of the Governor, with whom it is optional to take his seat as a member of the Board, or to keep aloof, and by so doing constitute himself an entirely separate branch of the Legislature. One-third of the Council is composed of the under-mentioned public officers, who are, by a separate instrument, constituted likewise the Governor's Executive Council:—

1. The Colonial Secretary,
2. The Attorney General,
3. The Treasurer,
4. The Surveyor General,
5. The Collector of Customs.

The remaining two-thirds are selected by the Governor, but I believe that a Despatch from the Duke of Newcastle directs that five of the ten shall be chosen from the magistracy of the Colony, and that in the appointment of the other five the Governor shall endeavour to be guided by the wishes of the people as signified in five distinct districts. Under this constitution the Government can command a majority of votes, but the power has been rarely exercised by me, save in cases where demands were made upon the Colony by the Imperial Treasury, which the Legislature, if not coerced, would have rejected.

25. I would wish to make some observations upon the three divisions of the present Council. The five executive members are in such close communication with the Governor, that it is but rarely that one of them has an opportunity of asserting his independence by a vote against a measure introduced by the Government. Hence, however useful as men of business in the House, they do not, with the public, possess the same character for independence as the other two classes. I would recommend that in the new Legislature for the united Colonies the strictly official element be not increased.

26. Probably in British Columbia the section of the Legislature which possesses most the confidence of the people is that of the magistrates. It is the right of the Governor to change the stations of the paid justices of the peace whenever he shall see occasion for doing so, therefore, the best men are always selected for the most important trusts. As the winter closes most of the miners' operations, several of the magistrates can be spared to attend the meetings of the Legislative Council in New Westminster.

The under-mentioned districts are represented in this manner:—

1. New Westminster.
2. The Kootenay Gold Mines in the Rocky Mountains.
3. The Gold Mines of Cariboo, nearly 500 miles north-east of New Westminster.
4. The agricultural, and now mining district of Lillooet.
5. The pastoral and mining country intersected by the Columbia, bounded on the south by the American frontier.

27. The country magistrates, whose salaries are not sufficient to enable them to enjoy any of the luxuries of life in the expensive districts in which they are stationed, live in the manly state of freedom of intercourse with all classes, characteristic of British Columbian society. The magistrates at the mines, hundreds of miles from head-

quarters, are necessarily invested with duties of great variety and importance. The representative of the Government, the sole referee or judge in mining disputes, gold commissioner, bankruptcy commissioner, county court judge, the magistrate is constantly before the public. The smallness of the police force which we can allow to carry out his decisions, and to preserve tranquillity, compels him to rely much upon his personal influence. It gives me great satisfaction to say that under these circumstances a body of public officers has been trained, equally respected by the people and the Government. The miner looks upon the departure of the magistrate for his legislative duties with fully as much of happy confidence as he does on that of the men he has assisted in returning to the House.

28. I would propose in the new constitution to increase the number of these valuable legislators from five to nine. I would submit that the present discretionary power resident in the Governor of making his selection from the centres of population, for the time being, be not interfered with; nor would I withdraw the liberty granted to him by the Duke of Newcastle to appoint, should he see fit, unpaid in the place of paid magistrates. I venture to submit a plan for a distribution, in the first instance, of the nine seats:—

1. Victoria, V. I.
2. New Westminster, B.C.
3. Cariboo, B.C.
4. Kootenay or Columbia, B.C.
5. Douglas and Lillooet, B.C.
6. Osoyoos and Southern Frontier, B.C.
7. Nanaimo, V.I.
8. Yale and Lytton, B.C.
9. Comox or Cowitchien, V.I.

It will be said that this is not a fair distribution; six magistrates for British Columbia, three for Vancouver Island. I reply that the former Colony now supports nine paid justices of the peace, the latter only two. My plan would entail the exclusion of three Columbian magistrates and the creation of one, for legislative purposes, upon the island.

29. The Duke of Newcastle directed the Governor to consult the wishes of the people in the appointment of one-third of the Legislative Councillors. My predecessor divided the Colony into five electoral districts:

1. New Westminster.
2. Cariboo East.
3. Cariboo West.
4. Yale and Lytton.
5. Douglas and Lillooet.

The mode of ascertaining the popular desire is as follows:—A letter is written by command of the Governor to the paid magistrate of the district, directing him to call a meeting of the inhabitants to select a person for a seat in the Council. Due notice of the meeting is given in the Gazette, and locally by the magistrate. Seats in the Legislative Council are eagerly contended for. Electioneering addresses issue from the rival candidates, and sometimes very considerable expense is incurred. Great discretion is left with the magistrate and people of the district as to the votes which shall be accepted and reported to the Governor. In New Westminster, I believe, in consequence of a feeling to that effect, aliens have abstained from voting; but in Cariboo, and I think other inland districts, every man who comes forward may record a vote, unless he be an Indian or a Chinaman. Indeed, I believe there are cases where some Chinese have been allowed to vote. It meets with my approval that so long as a strong English Government exists in New Westminster, no disqualification on account of nationality should exist at the gold mines. I hold it as extremely desirable that we should know the real interests and feelings of our many alien immigrants. That we should attach them to our institutions, and that, as we govern by moral force alone, not costing the mother country a soldier or a shilling, we should have among our Legislators men responsible to alien as well as English constituents. I like to hear any grievance which the American miner may imagine he suffers from in Cariboo disposed of, as now, by the remark, "Wait for the next election." In the agricultural districts likewise I wish aliens to take part in the elections. Lytton, probably, does not contain a dozen English unofficial inhabitants. The farmers on the Thompson and Upper Fraser are many of them French. The hotel keepers throughout the Colony mostly belong to that nation or to the Italian. The time has not yet arrived for me to consider whether the Chinaman or Indian should be

allowed to vote at the elections. I should be disposed to exclude both. Possibly an exception might be made in favour of those who took out their "free miner's certificates."

30. The election over, the magistrate reports to the Governor the number of votes each candidate has received. It is by no means incumbent on the Governor to appoint to the Council the elect of the people, but it would require very special circumstances, such as have not yet presented themselves, to justify his rejection of the man placed at the head of the poll. The Councillor must take the oath of allegiance before his seat. A purely English Legislature is thus secured.

31. Even if union is not to take place, I should wish to see the popular element increased in our Legislative Council. It is by gradual concessions, freely made by the Government, that the desire for institutions practically unsuited to British Columbia will be best kept under. It is in the gold mines that I should specially desire to see the representation increased. If the union of the Colonies should take place, I would suggest that about 12 members of the new Legislature should be appointed by the Governor on the recommendation of the people. If the Colonies remain separate I will address you at a future time respecting British Columbia. I must repeat the recommendation I ventured to make when treating of the magisterial element, that the discretionary power of the Governor, as to the districts to be represented, should remain unimpaired. I, however, submit a rough suggestion as to the first apportionment of seats.

Victoria, V. I.	-	-	-	2 members.
New Westminster, B. C.	-	-	-	1 "
Nanaimo, V. I.	-	-	-	1 "
Comox, V. I.	-	-	-	1 "
Cariboo, East, B. C.	-	-	-	1 "
Cariboo, West, B. C.	-	-	-	1 "
Kootenag, B. C.	-	-	-	1 "
Yale and Lytton, B. C.	-	-	-	1 "
Douglas and Lillooet, B. C.	-	-	-	1 "
Williams' Lake, B. C.	-	-	-	1 "
Osoyoos and Columbia, B. C.	-	-	-	1 "

As regards the electoral franchise, in the first instance, I would propose to leave the question as it now rests in the several districts. It might be dealt with hereafter by the Council. A property qualification and English nationality would, I believe, be required in the electors of Vancouver Island.

32. I think it would be desirable that the Governor should have the power of appointing two unofficial members of the Legislative Council to the Executive Council.

33. Should union take place in the manner contemplated by the Act of the 21 & 22 Vict., two important changes would take place in the condition of Vancouver Island. Its present legislative constitution would be abolished. The partial exemption from import duties would cease. The loss of the House of Assembly would not, I think, be much regretted. The freedom of the port of Victoria has already been much impaired, duties being now levied on many articles of consumption. There is a certain charm in the idea of a free English port on the Pacific destined to compete with San Francisco, and, perhaps, ultimately to establish a commercial pre-eminence for Great Britain on the western coast of America. But in reality few of the advantages expected from the free port system have been secured, and the people of Victoria, having the issue fairly placed before them at the last elections, have, by a large majority, determined that the system shall cease, and a tariff take its place. Victoria does not lie on any of the great highways of commerce, and I do not suppose that a vessel ever entered the port which was not specially bound for it on the commencement of the voyage. Besides, if the freedom of the ports had realized the expectations of the people of Victoria, would they now be in so gloomy a state, or ready to make any sacrifice to secure union with British Columbia? The last statistical returns show that of the imports to Vancouver Island only one-twelfth is exported to countries other than the neighbouring British Colony. It may be said that smuggling is carried on to a great extent. Possibly so, but I doubt whether this advantage, of somewhat questionable propriety, counterbalances the inconvenience of the restrictions placed on British commerce in the western states of America. The compulsion on every vessel to or from Puget's Sound to enter or clear at Port Angeles, 40 (?) miles to windward, is I know found a serious evil in British Columbia. The ships entering the Columbia or Golden Gate from Victoria are examined, I believe, with a minuteness and suspicion not exercised on other traders. The collector of customs of California informed me that the commercial transactions of the British and American territories on the Pacific will never be conducted on an entirely satisfactory condition so

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

long as we look to the evasion of the United States laws as one of our regular sources of profit. Reciprocity, such as that existing between the eastern Colonies and the States, would be most valuable to us; but we cannot hope to obtain it under a system which contemplates the flooding, if possible, of the neighbouring territories with smuggled goods. Finally, British Columbia cannot receive unto herself a community which declines to share equally in her taxation. Victoria might retain nearly all her advantages as a distributing port, by the establishment of bonded warehouses, and the allowing of a drawback on all merchandise, over a certain value, passing out of the Colony.

34. In the event of union taking place, a question which will locally excite some interest is as to the seat of Government. Victoria is the largest town of the two Colonies, and is, in many respects, the most agreeable place of residence. I think, however, that in seeking union with British Columbia, Vancouver Island relinquishes all claim to the possession within her limits of the seat of Government. New Westminster has been chosen as the capital of British Columbia, and it would not be fair to the reluctant Colony to deprive her of the Governor and staff of officers. Both these towns are inconveniently situated on an angle of the vast British territory; but New Westminster, on the mainland, has the advantage over the island town. It is already the centre of the telegraphic system, and is in constant communication with the upper country, whereas the steamers to Victoria only run twice a week. The seat of Government should be on the mainland; whether it might not, with advantage, be brought hereafter nearer to the gold mines, is a question for the future.

35. Unmixed advantages would accrue from the amalgamation of the Supreme Courts of the two Colonies. There would be abundance of work for the judges now presiding in each Colony.

36. It is premature for me to address you respecting the disposal of the public officers who might be thrown out of employment on the union of the two Colonies.

37. I have now endeavoured to lay before you a scheme for the consolidation of British power and interest on the Pacific, and for the suppression of the lamentable antagonism existing between some of our fellow-subjects on that ocean. I am well aware that there are conflicting interests which I cannot hope to reconcile. The way of pleasing all parties has not been discovered. The old system of union under a common Governor resident in Victoria broke down. The new one of entire separation seems intolerable to the politicians of Vancouver Island. Whether the arrangements I now suggest would be acceptable to the Colonists I am much inclined to doubt. Victoria would probably expect better terms, and British Columbia only wishes to be left alone.

38. In a consideration of any suggestion I now venture to lay before you, I beg for the indulgence which a letter written abroad, without access to official papers, may fairly claim.

I have, &c.
(Signed) FREDERICK SEYMOUR.

No. 15.

No. 15.

COPY of a DESPATCH from the Officer administering the GOVERNMENT to the Right
HON. EDWARD CARDWELL, M.P.

(No. 16).

New Westminster, March 3, 1866.

SIR,

(Received May 14, 1866.)

I HAVE the honour to forward a petition addressed to Her Majesty by certain merchants, miners, and others resident in British Columbia.

2. The petition to which the signatures are attached was drawn up in Victoria in February 1865. Printed copies were very freely distributed, placarded on every wall, and left for signature at every public house. After a lapse of more than twelve months the petition has been presented to me for transmission, bearing the signatures of 445 persons out of a white population estimated at 6,000, although every opportunity has been afforded, and I may say, some pressure has been brought to bear on the inhabitants as well as the migratory population, to swell the number of petitioners.

The result of this attempt to foster discontent has thus proved a complete failure.

3. The arguments used to arrive at a calculation of the taxation of the Colony in 1865 are so fallacious as hardly to require explanation at length, more especially as the gentlemen who formed the deputation, on presenting the petition, stated to me that they were satisfied the calculations were incorrect, and that their only object in now presenting the petition rested in their desire for the union of the two Colonies.

4. I regret I am unable to furnish accurate statistics to refute the statement that the Chinese and Indian population "contribute in a very small proportion to the general revenue," but I fully agree with the remarks made by the Chief Magistrate of this district in a letter, copy of which I enclose, that a very large share of the taxation is borne by these two races.

5. As regards the one object of the petition—the desire for union of this Colony and Vancouver Island,—I am convinced from the information I received during my recent tour in the interior, that the people of the upper country care little whether there be union of the Colonies, or continued separation, and a petition of opposite effect to the one now forwarded would be signed by at least an equal number of the resident population.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR N. BIRCH.
&c. &c. &c.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

3d. March 1866.

Enclosure 1 in No. 15.

To Her Most Gracious Majesty, Victoria, Queen of the United Kingdom of Great Britain and Ireland and the Colonies thereunto belonging, Defender of the Faith, &c., &c.

The humble Petition of the undersigned Merchants, Miners, Traders, Farmers, Packers, and others resident in British Columbia.

Humbly sheweth:

That your petitioners having expended a very large amount of capital and labour in exploring and developing the resources of the Colony, are deeply interested in its welfare and success.

That in the absence of any reasonable expectations of a commensurate increase in the population or in the wealth of the country, to justify new burdens, they view with alarm the great increase in the amount of taxation proposed to be raised this year.

That your petitioners estimate the resident population of British Columbia during the winter months, exclusive of the Chinese and Indian, who contribute in a very small proportion to the general revenue, at about 4,000 persons, and the summer population, leaving the Kootenay district out of calculation, regarding which they have no accurate information, at about 7,000 persons, and by averaging these figures, they arrive at 5,500 as the mean population of the country.

In making any calculation of revenue or population, they are led to look upon the prospects of Kootenay as too problematical to be taken into consideration in allotting the average share of the general revenue which will be required from each individual resident in the older districts. There may be, for a week or two, 3,000 or 4,000 persons at these mines, and there may not be as many hundreds a few weeks later. Again, the licence fees and duties collected at the boundary line may give a handsome surplus, or they may not exceed the expenses incurred in collection.

That the revenue of British Columbia from ordinary sources is estimated at 153,615*l.*, or 27*l.* 18*s.* 6*d.* per head, as against 110,877*l.* in 1863, when the mean population could not have been less than 6,500 persons, the number of licence fees issued to free miners in that year being 4,066, consequently the proportion of taxation falling upon each individual did not exceed 17*l.* 12*s.*

The total receipts for the present year, in aid of revenue, including balance of loan for making roads, bridges, and streets, are estimated at 230,255*l.*, and the expenditure for 1865 is estimated at 240,525*l.*, or 43*l.* 14*s.* 7½*d.*, while that of 1863 was only 147,598*l.*, and allowing for the more numerous population, was only at the rate of 22*l.* 14*s.* 1¾*d.*, or slightly more than one-half.

That this great increase in the burdens of a young country already heavily taxed, and with a reduced population, must necessarily fall injuriously on the miner, who has to labour in the most inhospitable region of the Colony. Further, the climate of Cariboo is such that general mining operations are confined to about four months in the year; and it is only from the profits of this short season that the miner can accumulate the means of living during the winter, and providing funds to meet the demands which the Government makes upon him in the forms of a tariff, road tolls, licence, recording, and other fees, and a heavy tax upon his gold.

That while your petitioners are fully aware of their obligation to contribute towards the support of the Government which affords them protection, and which they have hitherto done without complaint, they cannot help expressing their conviction that so large an increase of expenditure as is contemplated this year under the head of civil list, &c., is out of all proportion to the number of the producing population. The total amount of salaries, &c., voted in 1865 being 42,317*l.*, against 28,590*l.* in 1863, and with the further sum of 4,825*l.* for travelling expenses, the total for this year is over 47,000*l.*

That your petitioners believe that there are gold fields of vast wealth within the boundaries of British Columbia undiscovered, and which will employ a large population in their development, but these will require energy, industry, and enterprise to bring to light, and your petitioners believe that when added to the natural difficulties, there are fresh, unnecessary, and vexatious taxes imposed upon the miners who are the mainstay of the country, this industrious class will become discouraged and turn their steps to the neighbouring gold fields of Washington territory, Oregon, and California.

That your petitioners are fully convinced of the necessity of legislative union between British Columbia and Vancouver Island, on fair and equitable terms. That the accomplishment of this event as soon as practicable is an indispensable requisite for the progress and prosperity of both.

The following are some of the reasons which have led your petitioners to take this view of the relative position of the two Colonies:—

The mean population of the Colony of Vancouver Island cannot be computed at less than 7,500

Encl. 1 in
No. 15.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

persons, and this number added to that of British Columbia gives 13,000 as the united population of the two Colonies. If the ordinary revenue of each were added together, and the taxation allotted fairly amongst the inhabitants of both Colonies, it would so far equalize the weight of the present burdens, as to reduce the share of the miners of British Columbia by at least 10% a year.

There would be nothing unjust in such a redistribution of the burdens of the State, as the people of Vancouver Island partake of the prosperity of the miners of Cariboo quite as much as the inhabitants of British Columbia.

The union of the two Colonies would also reduce the civil lists, which are now bearing heavily on both countries. The staff of officials will be lessened, and only one central Government would be required.

The people of Vancouver Island have expressed their willingness to unite with the sister Colony, and when your petitioners consider the proximity of the two countries, and their mutual dependencies upon each other, they cannot but believe that protracted separation will militate against the best interests of both, and weaken British influence in this portion of the Empire.

Your petitioners therefore humbly pray that your most Gracious Majesty may be pleased to take such steps as are necessary for an immediate reduction of the expenditure for this Colony, and for an early union of British Columbia and Vancouver Island under one government.

And your petitioners as in duty bound will ever pray, &c.

Signed by 445 persons.

Encl. 2 in
No. 15.

Enclosure 2 in No. 15.

The MAGISTRATE, NEW WESTMINSTER, to HIS HONOUR A. N. BIRCH.

MY DEAR MR. BIRCH,

New Westminster, March 3, 1866.

I HAVE made many inquiries, but I find it almost impossible to ascertain with any approach to accuracy the proportion of exciseable articles used and consumed by the Indians in the Colony. There are I believe about 10,000 Indians on Fraser River, and all of them in greater or lesser quantities use and consume exciseable articles.

Many of the young men spend as much as \$800 a year. The Indians now use almost everything used by white men but the chief commodities which they purchase are blankets, flour, tea, coffee, sugar, molasses, biscuits, dried apples, gunpowder, shot, muskets, axes, simple agricultural implements, vermilion, toys, cheap ornaments, and male and female wearing apparel.

In the best shops in this town I am informed that the Indian women buy more dresses and finery than the white people of the place.

A great number of the Indians from the United States territory come here to procure their supplies.

I am very sorry that I cannot afford you more precise information on this subject; but of this you may feel assured, that a very large proportion of the taxation is paid by the Indian and Chinese population of the Colony.

I have, &c.
(Signed) C. BREW.

LONDON:

Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.

For Her Majesty's Stationery Office.

6

A FURTHER DESPATCH

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

(In continuation of Papers presented 31st May 1866.)

Presented to both Houses of Parliament by Command of Her Majesty.
25th June 1866.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

16077.

1866.

[Price $\frac{1}{2}$ d.]

A FURTHER DESPATCH

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

(*In continuation of Papers presented 31st May 1866.*)

COPY of a DESPATCH from the OFFICER ADMINISTERING THE GOVERNMENT to
the Right Hon. EDWARD CARDWELL, M.P.

(No. 41.)

SIR,

New Westminster, British Columbia, April 28, 1866.

(Received June 14, 1866.)

I HAVE the honour to forward a memorial presented to me this day for transmission. The Municipal Council request me to forward their memorial by the mail steamer leaving within a few hours. I am consequently unable to comment on the several subjects brought forward. Mr. Seymour's presence in England will render this of little importance.

Memorial from
Municipal
Council of New
Westminster,
26th April
1866, in
original.

2. Rumours are continually reaching this Colony of secret sessions of the Assembly of Vancouver Island on the subject of union of these Colonies, and of resolutions and representations being constantly forwarded to Her Majesty's Government adverse to the interests of British Columbia. The Municipal Council of this city consider the silence of British Columbia may be taken as apathy, hence the origin of the memorial.

3. I cannot agree with the memorialists that the union of Vancouver Island with British Columbia will be "contrary to the well-understood wishes of the people."

I have already stated my conviction that the majority of the inhabitants in the upper country care little whether there is union of the Colonies or continued separation.

All classes are, however, united in the opinion that the present uncertainty as regards the future of these Colonies is seriously interfering with the progress of both.

I have, &c.

(Signed) ARTHUR N. BIRCH.

Despatch to
Secretary of
State, No. 16,
of 3rd March
1866.
Vide Papers
presented 31st
May 1866,
Page 42.

The Right Hon. Edward Cardwell, M.P.,

&c.

&c.

&c.

Enclosure in No. 41.

COPY of a Resolution in relation to a Memorial to the Secretary of State for the Colonies respecting union with the Colony of Vancouver Island, adopted by the Municipal Council of the city of New Westminster, April 26th, 1866.

Resolved,—

That the report of the committee be adopted, and that a copy be prepared by the clerk, to be signed by the president and clerk of this Council, and to have the corporate seal attached thereto, and that the president appoint a special committee to wait upon his Honour the Administrator of the Government with the request that the contents of the memorial be sent home by telegraph; at the same time asking his Excellency to explain to the Secretary of State for the Colonies that, had time permitted, the memorial would have been signed by the colonists generally.

THOMAS McMICKING,
Clerk.

2 UNION OF BRITISH COLUMBIA AND VANCOUVER ISLAND.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

To the Right Hon. Edward Cardwell, Her Majesty's Secretary of State for the Colonies, &c., &c., &c.
(L.S.)

THE Memorial of the Municipal Council of the city of New Westminster in council assembled,

Humbly sheweth—

That the people of British Columbia are and have always been strongly opposed to union with Vancouver Island.

That such opposition has been expressed by petition, through a delegate, and by resolutions unanimously passed during two different sessions of the Legislative Council.

That the people of this Colony have heard with regret that Her Majesty's Government has decided upon uniting the Colonies of British Columbia and Vancouver Island contrary to the well-understood wishes of the people of the former Colony.

That, should Her Majesty's Government persist in carrying out this determination, your memorialists would respectfully but earnestly submit the following:—

- 1st. That the capital of the united Colonies should be permanently fixed by an Act of the Imperial Parliament at New Westminster. The site of this city was, your memorialists believe, wisely selected by a commissioner sent out by Her Majesty's Government, and specially charged with that duty; received its name direct from Her Majesty, and was officially proclaimed as the permanent capital by a statute law of the Colony (*vide* the Proclamation of 14th February 1859). This fact induced large investments, which would not otherwise have been made. The capital could not now be disturbed without breaking faith with the people, and inflicting gross injustice upon large-vested rights; and it could not be transferred to Victoria—the extreme south-western limit of Vancouver Island—without entailing serious inconvenience upon the people of British Columbia, and reviving those feelings of dissatisfaction and discontent so painfully felt prior to the establishment of a distinct government in this Colony; while to leave the location of the capital an open question, to be dealt with by the united Legislature, would inevitably give rise to agitations and disputes calculated seriously to disturb the harmony, and jeopardize the peace, of both sections of the country, and which could only be ultimately settled by a direct reference home.
- 2nd. That in the event of union being forced upon British Columbia, the people feel that they have a right to expect that their interests and just claims will receive due consideration at the hands of Her Majesty's Government, and that the question of the capital will not be left open as a bone of contention, but that it will be finally and for ever set at rest by the establishment of New Westminster as the capital of the united Colonies.
- 3rd. That, in fixing the basis of representation, due regard should be had to the larger territory, resources, and revenue of British Columbia, and that in any representation which may be conferred, this Colony would be fairly entitled to enjoy at least two-thirds thereof.
- 4th. That a uniform fiscal system for the united Colonies is absolutely essential to the successful and harmonious administration of the government. To maintain free trade on Vancouver Island, and a customs tariff in British Columbia, would give rise to fiscal complications and local jealousies which would entail interminable difficulties here, and perpetual perplexity to Her Majesty's Government at home. Your memorialists, therefore, believe that a uniform customs tariff would form the safest and most satisfactory basis of revenue for the united Colonies.

All of which is respectfully submitted.

Signed by direction and on behalf of the Council.

W. J. ARMSTRONG,
President.

City of New Westminster, British Columbia,
April 26th, 1866.

THOMAS McMICKING,
Clerk.

B.P.L. Bindery.
APR 26 1880

BOS.

